

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

D'WAYNE CARPENTER,
PETITIONER,

v.

DAVID L. WINN, ET AL
RESPONDENT.

)
)
)
)
) Civil Action No. 04-CV-40043(WGY)
)
)
)
)
)

DECLARATION OF PATRICK W. WARD

I, Patrick Ward, hereby make the following declaration:

1. I am employed by the United States Department of Justice, Federal Bureau of Prisons, at the Federal Medical Center in Devens, Massachusetts (FMC Devens), as an Attorney Advisor. The legal office, from which I am located, is the Consolidated Legal Center - Devens. I have been employed at this position since approximately March 24, 2002.
2. As an Attorney Advisor, I have access to numerous records maintained in the ordinary course of business at FMC Devens regarding federal prisoners, including, but not limited to, documentary records, Judgment and Commitment files, and computerized records maintained on the Bureau of Prisons computerized data base, SENTRY.

Pre-Release Placement / Medical History

3. Upon review of the relevant records pertaining to Petitioner's Community Corrections Center (CCC) or Home Confinement (HC), it is evident that a brief historical explanation is required in this matter. Petitioner is serving a seven (7) to twenty-one(21) year sentence for Armed Robbery from the Superior Court of the District of Columbia. His Projected Release Date on this sentence, via Parole, is October 16, 2004. His Pre-Release Preparation Date (or 10% date) is April 16, 2004. See Attached **Document B**, Sentence Monitoring Computation Data.
4. On November 20, 2003, an Institutional Referral for CCC Placement request was initiated by Petitioner's Unit Team at FMC Devens. See Attached **Document Q**, November 2003 Institutional Referral for CCC Placement. On December 2, 2003, Petitioner received a tentative CCC placement to Hope Village in Washington, D.C. for a date of April 20, 2004.



See Attached **Document R**, CCC (Hope Village) Tentative Acceptance Letter. At the time of this initial referral, as well as the time of this acceptance, Petitioner was not on dialysis. See Declaration of FMC Devens Medical Officer Dr. Alcia Williams.

5. In December of 2003, Petitioner began receiving dialysis treatments at FMC Devens three (3) times a week. See Dr. Williams Declaration. This treatment has continued through present time. This change in medical condition and treatment, however, resulted in a change in the ability of the CCC's to handle Petitioner's case.
6. Although Petitioner was previously provided a tentative date for CCC placement through the Community Corrections Management (CCM) field office in Baltimore, Maryland, due to his change in medical condition, on March 17, 2004, Unit Team staff at FMC Devens were notified by the CCM office that his tentative CCC placement date to Hope Village was changed to June 16, 2004. See Attached **Document S**, March 2004 Change in CCC Date. This change was administered by the BOP CCM's office based upon their discovery of Petitioner's change in medical condition from the initial approval. See Declaration of Regional Community Corrections Administrator (CCA) King Wessels.
7. As of March 17, 2004, Petitioner was still tentatively scheduled for a CCC placement on or about June 16, 2004. However, between March and May, Petitioner was seen by a Cardiologist and subsequent testing resulted in a recommendation for a cardiac catheterization. See Dr. Williams Declaration. As a result, he was no longer medically cleared to a pre-release placement. On June 23, 2004, a cardiac catheterization was completed on Petitioner at the University of Massachusetts Medical Center. Subsequently, Petitioner was medically cleared to once again be considered for a pre-release placement. Id.
8. Subsequently on or about June 30, 2004, Petitioner's Unit Team at FMC Devens once again completed an Institutional Referral for CCC Placement form. See Attached **Document V**, June 2004 Institutional Referral for CCC Placement. On this occasion, the recommendation to the Community Corrections Management (CCM) Office in Annapolis Junction, Maryland, suggests a placement to Home Confinement and seeks a date sometime on or after July 26, 2004. Id. This referral was received in the CCM's Office on or about July 12, 2004.
9. Subsequent to the Unit Team's submission of the second CCC referral, Petitioner again developed further medical complications. See Dr. Williams Declaration. On July 8, 2004, it was determined that Petitioner had a clotted AV graft, which is necessary for the dialysis treatments. That day he was admitted to the University of Massachusetts Medical Center for treatment and was released back to FMC Devens on July 9, 2004. Id. However, on July 13, 2004, further issues arose with the clotting of the AV graft which resulted in Petitioner's admission to the University of Massachusetts for vascular surgery on the AV graft site on July 14, 2004. Petitioner returned to FMC Devens on July 15, 2004 following completion of his left AV graft revision surgery. Id.

10. The CCM's office in Baltimore, which handles pre-release placements within the District of Columbia, initiated its effort on or about July 12, 2004, to coordinate a Home Confinement placement or a CCC placement for Petitioner. See Regional CCA King-Wessels Declaration. Because of Petitioner's medical status, which includes on going dialysis treatment, the CCM's Office was unable to coordinate an acceptance of his case with any of the available CCC's in the District of Columbia area. Based upon the practice and policy of Home Confinement placements in the D.C. area, an inmate cannot be placed directly into a HC placement, as he must first be accepted by a CCC. Therefore, the BOP is unable to locate any pre-release placement option for Petitioner within the D.C area. Id.

Administrative Remedies / Exhaustion

11. I have access to the various databases and files concerning administrative remedy claims filed pursuant to the Administrative Remedy Program, which are maintained by the Bureau of Prisons in the ordinary course of business. In particular, I have access to SENTRY, which maintains a record of all of the administrative remedies filed by an inmate, the dates thereof, and the dispositions. These records reflect every administrative remedy claim filed by an inmate in the Bureau of Prisons, while housed in any federal institution of the Bureau of Prisons.
12. The Bureau of Prisons has established an administrative remedy procedure whereby inmates can seek formal review of any complaint regarding any aspect of their imprisonment. Petitioner had available to him the four step procedures set forth in the BOP's Administrative Remedy Program. See 28 C.F.R. § 542. The BOP regulations provide "a process through which inmates may seek formal review of an issue which relates to any aspect of their confinement... if less formal procedures have not resolved the matter." 28 C.F.R. § 542.10. In accordance with the BOP's Administrative Remedy Program, an inmate shall first attempt informal resolution of his complaint by presenting the issue informally to staff, and staff must attempt to resolve the issue. See 28 C.F.R. § 542.13(a). If the complaint cannot be resolved informally, the inmate may submit a formal written Administrative Remedy Request to the Warden, on a designated form, within twenty days of the event that triggered the inmate's complaint. 28 C.F.R. § 542.14(a). If the inmate's formal request is denied, the inmate may submit an appeal to the appropriate Regional Director of the BOP, within twenty calendar days of the date of the Warden signed the response. 28 C.F.R. § 542.15(a). A negative decision from the Regional Director may in turn be appealed to the General Counsel's office (in the Central Office) within thirty calendar days of the date the Regional Director signed the response. Id. No administrative remedy appeal is considered to have been fully exhausted until considered by the Bureau of Prisons' Central Office. 28 C.F.R. §§ 542.14-542.15. This Program is available to inmates confined at the Federal Prison Camp in Devens and would include any issues surrounding CCC transfer determinations or declinations.

13. On August 5, 2004, I ran a SENTRY search to determine if inmate Dwayne A. Carpenter, Reg. No. 05823-016, had filed any administrative remedy claims under the Administrative Remedy Program in regard to the allegations in his Petition. A review of his Administrative Remedy Record revealed that, while he has utilized the administrative remedy process to file an administrative remedy submission on the issue presented in this Petition with the Respondent, with the Northeast Regional Office of the BOP, and with the Central Office of the BOP, he has failed to exhaust the administrative remedy process by submitting this Petition prior to receiving a response from the Central Office of the BOP. A true and accurate copy of the Administrative Remedy Generalized Retrieval screen for Petitioner Dwayne A. Carpenter, Reg. No. 05823-016, is attached as **Document E**.
14. A review of the SENTRY database indicates that Petitioner filed a Request for Administrative Remedy, Case Number 330468-F1, on or about April 6, 2004, a copy of which is attached hereto as **Document F**. The Request raised Petitioner's eligibility for his original 6 month placement to a Community Corrections Center (CCC). Petitioner's Request was denied by Respondent, Warden Winn, on or about May 18, 2004. Attached as **Document F**. Subsequently, on or about May 27, 2004, Petitioner filed a Regional Administrative Remedy Appeal, Case Number 330468-R1, to the Bureau of Prisons' Regional Director in Philadelphia, a copy of which is attached hereto as **Document G**. Petitioner's Appeal was denied by the Regional Director on or about June 24, 2004. Attached as **Document G**. In that Response, the Regional Director explained that due to the change in Petitioner's medical condition, the original CCC placement was rescinded and that medical concerns are a proper basis to postpone or rescind a CCC placement. Id. Petitioner subsequently filed a Central Office Administrative Remedy Appeal, Case Number 330468-R1, to the Bureau of Prisons' Central Office in Washington, D.C, on or about July 19, 2004, a copy of which is attached hereto as **Document H**. At the time of this declaration, the Central Office of the bureau of Prisons has not filed a Response to that Appeal. A Response is not due until on or about August 28, 2004. Therefore, Petitioner has not exhausted his administrative remedies.
15. Attached hereto please find true and correct copies of the following documents:
 - A. Public Information Data Sheet;
 - B. Sentence Monitoring Computation Data;
 - C. March 2001 Initial Classification Program Review;
 - D. February 2002 Program Review;
 - E. August 2002 Program Review;
 - F. February 2003 Program Review;
 - G. August 2003 Program Review;
 - H. November 2003 Progress Report;
 - I. November 2003 U.S. Parole Commission Presumptive Parole Date Granted;
 - J. November 2003 Program Review;
 - K. November 2003 Institutional Referral for CCC Placement;

- L. CCC (Hope Village) Tentative Acceptance Letter;
- M. March 2004 Change in CCC Date;
- N. February 2004 Program Review;
- O. March 2004 Inmate Request to Staff (Change of CCC Placement Date);
- P. June 2004 Institutional Referral for CCC Placement;
- Q. Administrative Remedy History;
- R. Request for Administrative Remedy, Case Number 330468-F1;
- S. Regional Administrative Remedy Appeal, Case Number 330468-R1, and Response;
- T. Central Office Administrative Remedy Appeal, Case Number 330468-A1 (Response Due August 28, 2004); and,
- U. PS 7310.04 Community Corrections Center (CCC) Utilization and Transfer Procedure.

I declare the foregoing is true and correct to the best of my knowledge and belief, and given under penalty of perjury pursuant to 28 U.S.C. § 1746.

Executed this 6th day of July, 2004

/s/ Patrick W. Ward
Patrick W. Ward
Attorney Advisor
Consolidated Legal Center - Devens

Exhibit 1
Attachment A

REGNO...: 05823-016 NAME: CARPENTER, DWAYNE A
COMP NO: 020 ALL CURR COMPS(Y/N): Y ALL PRIOR COMPS(Y/N): Y
FUNC....: DIS RESP OF: DEV / DESIGNATED, AT ASSIGNED FACIL
PHONE...: 978-796-1000 FTS: N/A
RACE/SEX....: BLACK / MALE
FBI NUMBER.: 480593AA7 DOB/AGE.....: 11-13-1961 / 42
PROJ REL MT: PAROLE FROM PAR COM OR CT PAR ELIG DT: 09-13-2003
PROJ REL DT: 10-16-2004 PAR HEAR DT: N/A

----- ADMIT/RELEASE HISTORY -----

| FCL | ASSIGNMENT | DESCRIPTION | START DATE/TIME | STOP DATE/TIME |
|-----|------------|-------------------------------|-----------------|-----------------|
| DEV | A-DES | DESIGNATED, AT ASSIGNED FACIL | 07-09-2004 2301 | CURRENT |
| DEV | LOCAL HOSP | ESC TRIP TO LOCAL HOSP W/RETN | 07-08-2004 1643 | 07-09-2004 2301 |
| DEV | A-DES | DESIGNATED, AT ASSIGNED FACIL | 06-23-2004 1244 | 07-08-2004 1643 |
| DEV | LOCAL HOSP | ESC TRIP TO LOCAL HOSP W/RETN | 06-23-2004 0537 | 06-23-2004 1244 |
| DEV | A-DES | DESIGNATED, AT ASSIGNED FACIL | 05-24-2004 1516 | 06-23-2004 0537 |
| DEV | LOCAL HOSP | ESC TRIP TO LOCAL HOSP W/RETN | 05-24-2004 1257 | 05-24-2004 1516 |
| DEV | A-DES | DESIGNATED, AT ASSIGNED FACIL | 04-23-2004 1149 | 05-24-2004 1257 |
| DEV | LOCAL HOSP | ESC TRIP TO LOCAL HOSP W/RETN | 04-23-2004 0605 | 04-23-2004 1149 |

G0002 MORE PAGES TO FOLLOW . . .

AS OF 07-12-2004

REGNO...: 05823-016 NAME: CARPENTER, DWAYNE A

COMP NO: 020

ALL CURR COMPS(Y/N): Y ALL PRIOR COMPS(Y/N): Y

FUNC...: DIS

RESP OF: DEV / DESIGNATED, AT ASSIGNED FACIL

PHONE...: 978-796-1000 FTS: N/A

| | | | | | | |
|-----|------------|-------------------------------|------------|------|------------|------|
| DEV | A-DES | DESIGNATED, AT ASSIGNED FACIL | 04-08-2004 | 1522 | 04-23-2004 | 0605 |
| DEV | LOCAL HOSP | ESC TRIP TO LOCAL HOSP W/RETN | 04-08-2004 | 1233 | 04-08-2004 | 1522 |
| DEV | A-DES | DESIGNATED, AT ASSIGNED FACIL | 03-26-2004 | 1735 | 04-08-2004 | 1233 |
| DEV | LOCAL HOSP | ESC TRIP TO LOCAL HOSP W/RETN | 03-26-2004 | 1449 | 03-26-2004 | 1735 |
| DEV | A-DES | DESIGNATED, AT ASSIGNED FACIL | 03-03-2004 | 1243 | 03-26-2004 | 1449 |
| DEV | LOCAL HOSP | ESC TRIP TO LOCAL HOSP W/RETN | 03-03-2004 | 1037 | 03-03-2004 | 1243 |
| DEV | A-DES | DESIGNATED, AT ASSIGNED FACIL | 02-19-2004 | 1633 | 03-03-2004 | 1037 |
| DEV | LOCAL HOSP | ESC TRIP TO LOCAL HOSP W/RETN | 02-18-2004 | 0901 | 02-19-2004 | 1633 |
| DEV | A-DES | DESIGNATED, AT ASSIGNED FACIL | 12-31-2003 | 1239 | 02-18-2004 | 0901 |
| DEV | LOCAL HOSP | ESC TRIP TO LOCAL HOSP W/RETN | 12-31-2003 | 0946 | 12-31-2003 | 1239 |
| DEV | A-DES | DESIGNATED, AT ASSIGNED FACIL | 12-23-2003 | 1432 | 12-31-2003 | 0946 |
| DEV | LOCAL HOSP | ESC TRIP TO LOCAL HOSP W/RETN | 12-22-2003 | 1042 | 12-23-2003 | 1432 |
| DEV | A-DES | DESIGNATED, AT ASSIGNED FACIL | 12-19-2003 | 1511 | 12-22-2003 | 1042 |

G0002

MORE PAGES TO FOLLOW . . .

REGNO...: 05823-016 NAME: CARPENTER, DWAYNE A
COMP NO: 020 ALL CURR COMPS(Y/N): Y ALL PRIOR COMPS(Y/N): Y
FUNC....: DIS RESP OF: DEV / DESIGNATED, AT ASSIGNED FACIL
PHONE...: 978-796-1000 FTS: N/A
PRE-RELEASE PREPARATION DATE: 04-16-2004

THE FOLLOWING SENTENCE DATA IS FOR THE INMATE'S CURRENT COMMITMENT.
THE INMATE IS PROJECTED FOR RELEASE: 10-16-2004 VIA PAROLE

-----CURRENT JUDGMENT/WARRANT NO: 020 -----

COURT OF JURISDICTION.....: DIST OF COLUMBIA, SUPERIOR CRT
DOCKET NUMBER.....: F9455-96D
JUDGE.....: KRAMER
DATE SENTENCED/PROBATION IMPOSED: 07-14-1998
DATE WARRANT ISSUED.....: N/A
DATE WARRANT EXECUTED.....: N/A
DATE COMMITTED.....: 02-06-2001

G0002 MORE PAGES TO FOLLOW . . .

REGNO...: 05823-016 NAME: CARPENTER, DWAYNE A
COMP NO: 020 ALL CURR COMPS(Y/N): Y ALL PRIOR COMPS(Y/N): Y
FUNC....: DIS RESP OF: DEV / DESIGNATED, AT ASSIGNED FACIL
PHONE...: 978-796-1000 FTS: N/A
HOW COMMITTED.....: DC SUPERIOR COURT COMT
PROBATION IMPOSED.....: NO
SPECIAL PAROLE TERM.....:

RESTITUTION...: PROPERTY: NO SERVICES: NO AMOUNT: \$00.00

-----CURRENT OBLIGATION NO: 010 -----
OFFENSE CODE.....: 644
OFF/CHG: 22-2901,3202;ARMED ROBBERY

SENTENCE PROCEDURE.....: DC OMNIBUS ADULT SENTENCE
SENTENCE IMPOSED/TIME TO SERVE.: 21 YEARS

G0002 MORE PAGES TO FOLLOW . . .

AS OF 07-12-2004

REGNO...: 05823-016 NAME: CARPENTER, DWAYNE A
COMP NO: 020 ALL CURR COMPS(Y/N): Y ALL PRIOR COMPS(Y/N): Y
FUNC....: DIS RESP OF: DEV / DESIGNATED, AT ASSIGNED FACIL
PHONE...: 978-796-1000 FTS: N/A
MINIMUM TERM.....: 7 YEARS
DATE OF OFFENSE.....: 10-28-1996

-----CURRENT COMPUTATION NO: 020 -----

COMPUTATION 020 WAS LAST UPDATED ON 03-19-2004 AT CRO AUTOMATICALLY

THE FOLLOWING JUDGMENTS, WARRANTS AND OBLIGATIONS ARE INCLUDED IN
CURRENT COMPUTATION 020: 020 010

DATE COMPUTATION BEGAN.....: 07-14-1998
TOTAL TERM IN EFFECT.....: 21 YEARS
TOTAL TERM IN EFFECT CONVERTED...: 21 YEARS
EARLIEST DATE OF OFFENSE.....: 10-28-1996

G0002 MORE PAGES TO FOLLOW . . .

REGNO...: 05823-016 NAME: CARPENTER, DWAYNE A
COMP NO: 020 ALL CURR COMPS(Y/N): Y ALL PRIOR COMPS(Y/N): Y
FUNC....: DIS RESP OF: DEV / DESIGNATED, AT ASSIGNED FACIL
PHONE...: 978-796-1000 FTS: N/A

JAIL CREDIT.....: FROM DATE THRU DATE
10-28-1996 07-13-1998

TOTAL JAIL CREDIT TIME.....: 624
TOTAL INOPERATIVE TIME.....: 0
STATUTORY GOOD TIME RATE.....: 0
TOTAL SGT POSSIBLE.....: 0
PAROLE ELIGIBILITY.....: 09-13-2003
STATUTORY RELEASE DATE.....: 10-27-2017
TWO THIRDS DATE.....: N/A
180 DAY DATE.....: N/A
EXPIRATION FULL TERM DATE.....: 10-27-2017

G0002 MORE PAGES TO FOLLOW . . .

AS OF 07-12-2004

REGNO...: 05823-016 NAME: CARPENTER, DWAYNE A
COMP NO: 020 ALL CURR COMPS(Y/N): Y ALL PRIOR COMPS(Y/N): Y
FUNC....: DIS RESP OF: DEV / DESIGNATED, AT ASSIGNED FACIL
PHONE...: 978-796-1000 FTS: N/A
PAROLE EFFECTIVE.....: 10-16-2004
PAROLE EFF VERIFICATION DATE.....: 03-15-2004
NEXT PAROLE HEARING DATE.....: N/A
TYPE OF HEARING.....: PAROLE EFFECTIVE

PROJECTED SATISFACTION DATE.....: 10-16-2004
PROJECTED SATISFACTION METHOD....: PAROLE

G0002 MORE PAGES TO FOLLOW . . .

AS OF 07-12-2004

07-12-2004
14:07:53

REGNO...: 05823-016 NAME: CARPENTER, DWAYNE A
COMP NO: 010 ALL CURR COMPS(Y/N): Y ALL PRIOR COMPS(Y/N): Y
FUNC....: DIS RESP OF: DEV / DESIGNATED, AT ASSIGNED FACIL

THE FOLLOWING SENTENCE DATA IS FOR THE INMATE'S PRIOR COMMITMENT.
THE INMATE WAS SCHEDULED FOR RELEASE: 03-14-1988 VIA MAND REL

-----PRIOR JUDGMENT/WARRANT NO: 010 -----

COURT OF JURISDICTION.....: DIST OF COLUMBIA, SUPERIOR CRT
DOCKET NUMBER.....: 6049-79
JUDGE.....: SMITH
DATE SENTENCED/PROBATION IMPOSED: 12-05-1980
DATE WARRANT ISSUED.....: N/A
DATE WARRANT EXECUTED.....: N/A
DATE COMMITTED.....: 01-14-1982
HOW COMMITTED.....: DC SUPERIOR COURT COMT
PROBATION IMPOSED.....: NO

G0002 MORE PAGES TO FOLLOW . . .

AS OF 03-14-1988

REGNO...: 05823-016 NAME: CARPENTER, DWAYNE A
COMP NO: 010 ALL CURR COMPS(Y/N): Y ALL PRIOR COMPS(Y/N): Y
FUNC....: DIS RESP OF: DEV / DESIGNATED, AT ASSIGNED FACIL
PHONE...: 978-796-1000 FTS: N/A
SPECIAL PAROLE TERM.....:

RESTITUTION....: PROPERTY: NO SERVICES: NO AMOUNT: \$00.00

-----PRIOR OBLIGATION NO: 010 -----
OFFENSE CODE.....: 602
OFF/CHG: CPWOL, ADW, ASSAULT
22 DCC 3204, 3201, 501

SENTENCE PROCEDURE.....: DC CODE ADULT
SENTENCE IMPOSED/TIME TO SERVE..: 13 YEARS
MINIMUM TERM.....: 4 YEARS 4 MONTHS

G0002 MORE PAGES TO FOLLOW . . .

AS OF 03-14-1988

REGNO...: 05823-016 NAME: CARPENTER, DWAYNE A
COMP NO: 010 ALL CURR COMPS(Y/N): Y ALL PRIOR COMPS(Y/N): Y
FUNC....: DIS RESP OF: DEV / DESIGNATED, AT ASSIGNED FACIL
PHONE...: 978-796-1000 FTS: N/A

-----PRIOR COMPUTATION NO: 010 -----

COMPUTATION 010 WAS LAST UPDATED ON 03-28-1988 AT CBR AUTOMATICALLY

THE FOLLOWING JUDGMENTS, WARRANTS AND OBLIGATIONS ARE INCLUDED IN
PRIOR COMPUTATION 010: 010 010

DATE COMPUTATION BEGAN.....: 12-05-1980

G0002 MORE PAGES TO FOLLOW . . .

AS OF 03-14-1988

REGNO...: 05823-016 NAME: CARPENTER, DWAYNE A
COMP NO: 010 ALL CURR COMPS(Y/N): Y ALL PRIOR COMPS(Y/N): Y
FUNC...: DIS RESP OF: DEV / DESIGNATED, AT ASSIGNED FACIL
PHONE...: 978-796-1000 FTS: N/A
TOTAL TERM IN EFFECT.....: 13 YEARS
TOTAL TERM IN EFFECT CONVERTED...: 13 YEARS

| JAIL CREDIT.....: | FROM DATE | THRU DATE |
|-------------------|------------|------------|
| | 10-27-1979 | 05-19-1980 |
| | 07-29-1980 | 12-04-1980 |

TOTAL JAIL CREDIT TIME.....: 335
TOTAL INOPERATIVE TIME.....: 0
STATUTORY GOOD TIME RATE.....: 10
TOTAL SGT POSSIBLE.....: 1560
PAROLE ELIGIBILITY.....: 05-04-1984
STATUTORY RELEASE DATE.....: 09-26-1988
TWO THIRDS DATE.....: N/A

G0002 MORE PAGES TO FOLLOW . . .

REGNO...: 05823-016 NAME: CARPENTER, DWAYNE A
COMP NO: 010 ALL CURR COMPS(Y/N): Y ALL PRIOR COMPS(Y/N): Y
FUNC....: DIS RESP OF: DEV / DESIGNATED, AT ASSIGNED FACIL
PHONE...: 978-796-1000 FTS: N/A
180 DAY DATE.....: 07-07-1992
EXPIRATION FULL TERM DATE.....: 01-03-1993

NEXT PAROLE HEARING DATE.....: 12-00-1987
TYPE OF HEARING.....: INITIAL

ACTUAL SATISFACTION DATE.....: 03-14-1988
ACTUAL SATISFACTION METHOD.....: MAND REL
ACTUAL SATISFACTION FACILITY.....: CBR
ACTUAL SATISFACTION KEYED BY.....: DMM

DAYS REMAINING.....: 1756
FINAL PUBLIC LAW DAYS.....: 0

G0005 TRANSACTION SUCCESSFULLY COMPLETED - CONTINUE PROCESSING IF DESIRED

Exhibit 1
Attachment B

DEVEN 540*23 * SENTENCE MONITORING * 07-12-2004
 PAGE 001 * COMPUTATION DATA * 14:11:25
 AS OF 07-12-2004

REGNO.: 05823-016 NAME: CARPENTER, DWAYNE A

FBI NO.: 480593AA7 DATE OF BIRTH: 11-13-1961
 ARS1.: DEV/A-DES
 UNIT.: J CC QUARTERS.: J04-406L
 DETAINERS.: NO NOTIFICATIONS: NO

PRE-RELEASE PREPARATION DATE: 04-16-2004

THE FOLLOWING SENTENCE DATA IS FOR THE INMATE'S CURRENT COMMITMENT.
 THE INMATE IS PROJECTED FOR RELEASE: 10-16-2004 VIA PAROLE

-----CURRENT JUDGMENT/WARRANT NO: 020 -----

COURT OF JURISDICTION.: DIST OF COLUMBIA, SUPERIOR CRT
 DOCKET NUMBER.: F9455-96D
 JUDGE.: KRAMER
 DATE SENTENCED/PROBATION IMPOSED: 07-14-1998
 DATE WARRANT ISSUED.: N/A
 DATE WARRANT EXECUTED.: N/A
 DATE COMMITTED.: 02-06-2001
 HOW COMMITTED.: DC SUPERIOR COURT CONT
 PROBATION IMPOSED.: NO
 SPECIAL PAROLE TERM.:

RESTITUTION.: PROPERTY: NO SERVICES: NO AMOUNT: \$00.00

-----CURRENT OBLIGATION NO: 010 -----

OFFENSE CODE.: 644
 OFF/CHG: 22-2901,3202;ARMED ROBBERY

SENTENCE PROCEDURE.: DC OMNIBUS ADULT SENTENCE
 SENTENCE IMPOSED/TIME TO SERVE.: 21 YEARS
 MINIMUM TERM.: 7 YEARS
 DATE OF OFFENSE.: 10-28-1996

G0002 MORE PAGES TO FOLLOW . . .

DEVEN 540*23 * SENTENCE MONITORING * 07-12-2004
 PAGE 002 * COMPUTATION DATA * 14:11:25
 AS OF 07-12-2004

REGNO.: 05823-016 NAME: CARPENTER, DWAYNE A

-----CURRENT COMPUTATION NO: 020 -----

COMPUTATION 020 WAS LAST UPDATED ON 03-19-2004 AT CRO AUTOMATICALLY

THE FOLLOWING JUDGMENTS, WARRANTS AND OBLIGATIONS ARE INCLUDED IN
 CURRENT COMPUTATION 020: 020 010

DATE COMPUTATION BEGAN.....: 07-14-1998
 TOTAL TERM IN EFFECT.....: 21 YEARS
 TOTAL TERM IN EFFECT CONVERTED...: 21 YEARS
 EARLIEST DATE OF OFFENSE.....: 10-28-1996

JAIL CREDIT.....: FROM DATE THRU DATE
 10-28-1996 07-13-1998

TOTAL JAIL CREDIT TIME.....: 624
 TOTAL INOPERATIVE TIME.....: 0
 STATUTORY GOOD TIME RATE.....: 0
 TOTAL SGT POSSIBLE.....: 0
 PAROLE ELIGIBILITY.....: 09-13-2003
 STATUTORY RELEASE DATE.....: 10-27-2017
 TWO THIRDS DATE.....: N/A
 180 DAY DATE.....: N/A
 EXPIRATION FULL TERM DATE.....: 10-27-2017

PAROLE EFFECTIVE.....: 10-16-2004
 PAROLE EFF VERIFICATION DATE.....: 03-15-2004
 NEXT PAROLE HEARING DATE.....: N/A
 TYPE OF HEARING.....: PAROLE EFFECTIVE

PROJECTED SATISFACTION DATE.....: 10-16-2004
 PROJECTED SATISFACTION METHOD....: PAROLE

REMARKS.....: 108 DATE 04-16-2004
 COMP CERTIFIED BY DC RECORDS CENTER ON 3/22/2004

G0002 MORE PAGES TO FOLLOW . . .

DEVEN 540*23 * SENTENCE MONITORING * 07-12-2004
 PAGE 003 * COMPUTATION DATA * 14:11:25
 AS OF 03-14-1988

REGNO.: 05823-016 NAME: CARPENTER, DWAYNE A

FBI NO.: DATE OF BIRTH: 11-13-1961
 ARS1.: DEV/A-DES
 UNIT.: J CC QUARTERS.: 304-406L
 DETAINERS.: NO NOTIFICATIONS: NO

THE FOLLOWING SENTENCE DATA IS FOR THE INMATE'S PRIOR COMMITMENT.
 THE INMATE WAS SCHEDULED FOR RELEASE: 03-14-1988 VIA MAND REL

-----PRIOR JUDGMENT/WARRANT NO: 010 -----

COURT OF JURISDICTION.: DIST OF COLUMBIA, SUPERIOR CRT
 DOCKET NUMBER.: 6049-79
 JUDGE.: SMITH
 DATE SENTENCED/PROBATION IMPOSED: 12-05-1980
 DATE WARRANT ISSUED.: N/A
 DATE WARRANT EXECUTED.: N/A
 DATE COMMITTED.: 01-14-1982
 HOW COMMITTED.: DC SUPERIOR COURT COMT
 PROBATION IMPOSED.: NO
 SPECIAL PAROLE TERM.:

RESTITUTION.: PROPERTY: NO SERVICES: NO AMOUNT: \$00.00

-----PRIOR OBLIGATION NO: 010 -----

OFFENSE CODE.: 602
 OFF/CHG: CPWOL, ADW, ASSAULT
 22 DCC 3204, 3201, 501

SENTENCE PROCEDURE.: DC CODE ADULT
 SENTENCE IMPOSED/TIME TO SERVE.: 13 YEARS
 MINIMUM TERM.: 4 YEARS 4 MONTHS

REMARKS.: F6049-79D--CPWOL--40 MOS/10 YRS
 F6049-79E--ADW----1 YEAR CONSECUTIVE
 F6049-79J--ASSAULT--1 YR CONSECUTIVE
 F6049-79K--CPWOL--1 YEAR CONSECUTIVE

G0002 MORE PAGES TO FOLLOW . . .

DEVEN 540*23 * SENTENCE MONITORING * 07-12-2004
 PAGE 004 OF 004 * COMPUTATION DATA * 14:11:25
 AS OF 03-14-1988

REGNO.: 05823-016 NAME: CARPENTER, DWAYNE A

-----PRIOR COMPUTATION NO: 010 -----

COMPUTATION 010 WAS LAST UPDATED ON 03-28-1988 AT CBR AUTOMATICALLY

THE FOLLOWING JUDGMENTS, WARRANTS AND OBLIGATIONS ARE INCLUDED IN
 PRIOR COMPUTATION 010: 010 010

DATE COMPUTATION BEGAN.....: 12-05-1980
 TOTAL TERM IN EFFECT.....: 13 YEARS
 TOTAL TERM IN EFFECT CONVERTED..: 13 YEARS

| JAIL CREDIT..... | FROM DATE | THRU DATE |
|------------------|------------|------------|
| | 10-27-1979 | 05-19-1980 |
| | 07-29-1980 | 12-04-1980 |

TOTAL JAIL CREDIT TIME.....: 335
 TOTAL INOPERATIVE TIME.....: 0
 STATUTORY GOOD TIME RATE.....: 10
 TOTAL SGT POSSIBLE.....: 1560
 PAROLE ELIGIBILITY.....: 05-04-1984
 STATUTORY RELEASE DATE.....: 09-26-1988
 TWO THIRDS DATE.....: N/A
 180 DAY DATE.....: 07-07-1992
 EXPIRATION FULL TERM DATE.....: 01-03-1993

NEXT PAROLE HEARING DATE.....: 12-00-1987
 TYPE OF HEARING.....: INITIAL

ACTUAL SATISFACTION DATE.....: 03-14-1988
 ACTUAL SATISFACTION METHOD.....: MAND REL
 ACTUAL SATISFACTION FACILITY.....: CBR
 ACTUAL SATISFACTION KEYED BY.....: DMH

DAYS REMAINING.....: 1756
 FINAL PUBLIC LAW DAYS.....: 0

00000 TRANSACTION SUCCESSFULLY COMPLETED

Exhibit 1
Attachment C

ALMBS
PAGE 001

PROGRAM REVIEW REPORT

02-26-2001
16:00:42

INSTITUTION: ALM ALLENWOOD MED FCI

NAME.....: CARPENTER, DWAYNE A
RESIDENCE...: WASHINGTON, DC 20032

REG. NO: 05823-016

TYPE OF REVIEW.....: INITIAL CLASSIFICATION PROGRAM REVIEW
NEXT REVIEW DATE.....: 9-7-01PROJ. RELEASE DATE...: 10-28-2017
PAROLE HEARING DATE..: NONERELEASE METHOD...: EXP FT
HEARING TYPE....: NONEDATE OF NEXT CUSTODY REVIEW: 9-1-01DETAINERS (Y/N): (N)CIM STATUS (Y/N).....: (Y)IF YES, RECONCILED (Y/N): PendingPENDING CHARGES.....: NoneOFFENDER IS SUBJECT TO NOTIFICATION UNDER 18 U.S.C. 4042(B) (Y/N).....:
IF YES - CIRCLE ONE - DRUG TRAFFICKING/CURRENT VIOLENCE PAST VIOLENCE

| CATEGORY | CURRENT ASSIGNMENT | EFF DATE | TIME |
|----------|--------------------|--------------------------------|-----------------|
| CMA | PROG RPT | NEXT PROGRESS REPORT DUE DATE | |
| CMA | RPP NEEDS | RELEASE PREP PGM NEEDS | 02-06-2004 1438 |
| CMA | V94 COA913 | V94 CURR OTHER ON/AFTER 91394 | 02-26-2001 1303 |
| CMA | V94 PV | V94 PAST VIOLENCE | 02-26-2001 1259 |
| CUS | IN | IN CUSTODY | 02-26-2001 1258 |
| DRG | DRG I NONE | NO DRUG INTERVIEW REQUIRED | 01-18-2001 0805 |
| EDI | ESL HAS | ENGLISH PROFICIENT | 02-26-2001 1549 |
| EDI | GED UNK | GED STATUS UNKNOWN | 02-13-2001 1713 |
| FRP | NO OBLG | FINANC RESP-NO OBLIGATION | 02-06-2001 1826 |
| LEV | MEDIUM | SECURITY CLASSIFICATION MEDIUM | 02-26-2001 1306 |
| MDS | REG DUTY | NO MEDICAL RESTR--REGULAR DUTY | 05-03-2000 1533 |
| MDS | YES F/S | CLEARED FOR FOOD SERVICE | 02-21-2001 1554 |
| QTR | B02-904U | HOUSE B/RANGE 02/BED 904U | 02-21-2001 1554 |
| RLG | MOORISH | MOORISH SCIENCE TEMPLE | 02-12-2001 1209 |
| WRK | AO COMPLT | COMPLETED A&O | 02-19-2001 0831 |
| | | | 02-22-2001 0546 |

WORK PERFORMANCE RATING: this is an Initial Review.INCIDENT REPORTS SINCE LAST PROGRAM REVIEW: He has clear conduct while incarcerated.FRP PLAN/PROGRESS: He has no court ordered obligations.RELEASE PREPARATION PARTICIPATION: He will be encouraged to take the RPP 18-24 mos. prior to his P.R.D.

ALMBS
PAGE 002

PROGRAM REVIEW REPORT

02-26-2001
16:00:42

CCC RECOMMENDATION: He will be considered for CCC placement 13 mos. prior to his P.R.D.

PROGRESS MADE SINCE LAST REVIEW: N/A

GOALS FOR NEXT PROGRAM REVIEW MEETING: Establish a record of 4's and 5's on work evals by 5-01 and maintain through 9-01. Provide proof of high school diploma or enroll in GED program by 4-01. Occupy leisure time productively through recreation activities.

LONG TERM GOALS: Maintain clear conduct now til release (10-17). Complete GED program by 4-03. Maintain high level of cell sanitation while incarcerated.

OTHER INMATE REQUESTS/TEAM ACTIONS: Carpenter understands and agrees to the above recommendations. Failure to comply may result in 0 responsibility points on his Cust. Class. Form.


ALMBS *
PAGE 003 OF 003

PROGRAM REVIEW REPORT

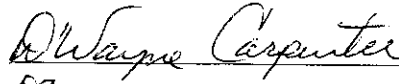
* 02-26-2001
16:00:42

SIGNATURES:

UNIT MANAGER:



INMATE:



DATE:

3-1-01

DATE:

EC.
3/1/01

R. Wenner

Exhibit 1
Attachment D

ALMBS
PAGE 001

PROGRAM REVIEW REPORT

02-15-2002
14:02:14

INSTITUTION: ALM ALLENWOOD MED FCI

NAME.....: CARPENTER, DWAYNE A
RESIDENCE...: WASHINGTON, DC 20032

REG. NO: 05823-016

TYPE OF REVIEW.....: INITIAL CLASSIFICATION PROGRAM REVIEW
NEXT REVIEW DATE.....: 8-21-02PROJ. RELEASE DATE...: 10-27-2017
PAROLE HEARING DATE..: 04-00-2003RELEASE METHOD..: EXP FT
HEARING TYPE....: INITIALDATE OF NEXT CUSTODY REVIEW: 8-17-02DETAINERS (Y/N): NCIM STATUS (Y/N).....: YIF YES, RECONCILED Y/N): ReviewedPENDING CHARGES.....: NoneOFFENDER IS SUBJECT TO NOTIFICATION UNDER 18 U.S.C. 4042(B) Y/N).....:
IF YES - CIRCLE ONE - DRUG TRAFFICKING/CURRENT VIOLENCE/PAST VIOLENCE

| CATEGORY | CURRENT ASSIGNMENT | EFF DATE | TIME |
|----------|--------------------|--------------------------------|-----------------|
| CMA | PROG RPT | NEXT PROGRESS REPORT DUE DATE | 02-06-2004 1438 |
| CMA | RPP NEEDS | RELEASE PREP PGM NEEDS | 02-26-2001 1303 |
| CMA | V94 COB913 | V94 CURR OTHER BEFORE 91394 | 03-04-2001 0655 |
| CMA | V94 PV | V94 PAST VIOLENCE | 02-26-2001 1258 |
| CUS | IN | IN CUSTODY | 01-18-2001 0805 |
| DRG | DRG E COMP | DRUG EDUCATION COMPLETED | 04-05-2001 1430 |
| DRG | DRG I NONE | NO DRUG INTERVIEW REQUIRED | 02-26-2001 1549 |
| DRG | NR COMP | NRES DRUG TMT/COMPLETE | 09-26-2001 0912 |
| EDI | ESL HAS | ENGLISH PROFICIENT | 02-13-2001 1713 |
| EDI | GED HAS | COMPLETED GED OR HS DIPLOMA | 07-01-2001 1600 |
| FRP | NO OBLG | FINANC RESP-NO OBLIGATION | 02-26-2001 1306 |
| LEV | MEDIUM | SECURITY CLASSIFICATION MEDIUM | 05-03-2000 1533 |
| MDS | REG DUTY | NO MEDICAL RESTR--REGULAR DUTY | 02-21-2001 1554 |
| MDS | YES F/S | CLEARED FOR FOOD SERVICE | 02-21-2001 1554 |
| QTR | B04-218L | HOUSE B/RANGE 04/BED 218L | 01-25-2002 1003 |
| RLG | MOORISH | MOORISH SCIENCE TEMPLE | 02-19-2001 0831 |
| WRK | FS COOK AM | 8 VARIOUS FS POSITIONS | 02-09-2002 0001 |

WORK PERFORMANCE RATING: Excellent work evals in F/S.INCIDENT REPORTS SINCE LAST PROGRAM REVIEW: Clear conduct
while incarcerated.FRP PLAN/PROGRESS: No Fed. Fin. obligations.RELEASE PREPARATION PARTICIPATION: should enroll 18-24 mos.
prior to release.

ALMBS
PAGE 002

PROGRAM REVIEW REPORT

02-15-2002
14:02:14

CCC RECOMMENDATION: Consider 11-13 mos. prior to release.

PROGRESS MADE SINCE LAST REVIEW: Clear conduct, good work evals, completed one ACE.

GOALS FOR NEXT PROGRAM REVIEW MEETING: Maintain excellent work evals through 8-02. Enroll in one PSE by 3-02 and complete by 8-02. Enroll in Carpentry V.T. by 4-02.

LONG TERM GOALS:

Maintain clear conduct now till release (10-17). Save 25% of all earnings. Complete carpentry V.T. while at ALM.

OTHER INMATE REQUESTS/TEAM ACTIONS:

Carpenter agrees to the above recommendations.

ALMBS *
PAGE 003 OF 003

PROGRAM REVIEW REPORT

* 02-15-2002
14:02:14

SIGNATURES:

UNIT MANAGER: *R. Hefner*

INMATE: *K. Wayne Carpenter*

DATE: *2-21-02*

DATE: *2-21-02*

R. Wanner

Exhibit 1
Attachment E

ALMD5
PAGE 001

PROGRAM REVIEW REPORT

08-10-2002
18:23:37

INSTITUTION: ALM ALLENWOOD MED FCI

NAME.....: CARPENTER, DWAYNE A
RESIDENCE...: WASHINGTON, DC 20032

REG. NO: 05823-016

TYPE OF REVIEW.....: INITIAL CLASSIFICATION/PROGRAM REVIEW
NEXT REVIEW DATE.....: 2-15-03PROJ. RELEASE DATE...: 10-27-2017
PAROLE HEARING DATE..: 04-00-2003RELEASE METHOD.: EXP FT
HEARING TYPE....: INITIALDATE OF NEXT CUSTODY REVIEW: 8-10-03DETAINERS (Y/N): (N)CIM STATUS (Y/N).....: (Y)IF YES, RECONCILED (Y/N): ReviewedPENDING CHARGES.....: NoneOFFENDER IS SUBJECT TO NOTIFICATION UNDER 18 U.S.C. 4042(B) (Y/N).....:
IF YES - CIRCLE ONE - DRUG TRAFFICKING/CURRENT VIOLENCE/PAST VIOLENCE

| CATEGORY | CURRENT ASSIGNMENT | EFF DATE | TIME |
|----------|--------------------|--------------------------------|-----------------|
| CMA | PROG RPT | NEXT PROGRESS REPORT DUE DATE | 02-06-2004 1438 |
| CMA | RPP NEEDS | RELEASE PREP PGM NEEDS | 02-26-2001 1303 |
| CMA | V94 COB913 | V94 CURR OTHER BEFORE 91394 | 03-04-2001 0655 |
| CMA | V94 PV | V94 PAST VIOLENCE | 02-26-2001 1258 |
| CUS | IN | IN CUSTODY | 01-18-2001 0805 |
| DRG | DRG E COMP | DRUG EDUCATION COMPLETED | 04-05-2001 1430 |
| DRG | DRG I NONE | NO DRUG INTERVIEW REQUIRED | 02-26-2001 1549 |
| DRG | NR COMP | NRES DRUG TMT/COMPLETE | 07-30-2002 1054 |
| EDI | ESL HAS | ENGLISH PROFICIENT | 02-13-2001 1713 |
| EDI | GED HAS | COMPLETED GED OR HS DIPLOMA | 07-01-2001 1600 |
| FRP | NO OBLG | FINANC RESP-NO OBLIGATION | 02-26-2001 1306 |
| LEV | MEDIUM | SECURITY CLASSIFICATION MEDIUM | 05-03-2000 1533 |
| MDS | REG DUTY | NO MEDICAL RESTR--REGULAR DUTY | 02-21-2001 1554 |
| MDS | YES F/S | CLEARED FOR FOOD SERVICE | 02-20-2002 1515 |
| QTR | B04-218L | HOUSE B/RANGE 04/BED 218L | 01-25-2002 1003 |
| RLG | MOORISH | MOORISH SCIENCE TEMPLE | 02-19-2001 0831 |
| WRK | FS COOK AM | 8 VARIOUS FS POSITIONS | 04-23-2002 0001 |

WORK PERFORMANCE RATING: Outstanding work evals in F/S.

INCIDENT REPORTS SINCE LAST PROGRAM REVIEW:

Clear conduct
while incarcerated.

FRP PLAN/PROGRESS:

No federal obligation.

RELEASE PREPARATION PARTICIPATION:

Should enroll 18-24 mos.
prior to release.

ALMD5
PAGE 002

PROGRAM REVIEW REPORT

08-10-2002
18:23:37

CCC RECOMMENDATION: Review 11-13 mos. prior to release.

PROGRESS MADE SINCE LAST REVIEW: Good work evals, clear conduct, enrolled in one PSE.

GOALS FOR NEXT PROGRAM REVIEW MEETING: Maintain 5's on work evals through 2-03. Complete current PSE by 2-03. Occupy leisure time by studying for PSE exams.

LONG TERM GOALS: Maintain clear conduct till release. Save 25% of all earnings. Enroll in Carpentry V.T.

OTHER INMATE REQUESTS/TEAM ACTIONS: Carpenter agrees to the above recommendations.

ALMD5
PAGE 003 OF 003

PROGRAM REVIEW REPORT

08-10-2002
18:23:37

SIGNATURES:

UNIT MANAGER:

H. Heibel

INMATE:

KD Wayne Carpenter

DATE:

8-15-02

DATE:

8-15-02

R. Wenzel

Exhibit 1
Attachment F

ALMD5
PAGE 001

PROGRAM REVIEW REPORT

01-31-2003
19:15:20

INSTITUTION: ALM ALLENWOOD MED FCI

NAME.....: CARPENTER, DWAYNE A
RESIDENCE...: WASHINGTON, DC 20032

REG. NO: 05823-016

TYPE OF REVIEW.....: INITIAL CLASSIFICATION/PROGRAM REVIEW
NEXT REVIEW DATE.....: 8-5-03PROJ. RELEASE DATE...: 10-07-2017
PAROLE HEARING DATE...: 04-00-2003RELEASE METHOD...: MAND PAR
HEARING TYPE...: INITIALDATE OF NEXT CUSTODY REVIEW: 9-7-03DETAINERS (Y/N): (N)CIM STATUS (Y/N).....: (Y)IF YES, RECONCILED (Y) N: ReviewedPENDING CHARGES.....: NoneOFFENDER IS SUBJECT TO NOTIFICATION UNDER 18 U.S.C. 4042(B) (Y) N.....
IF YES - CIRCLE ONE - DRUG TRAFFICKING/CURRENT VIOLENCE PAST VIOLENCE

| CATEGORY | ----- | CURRENT ASSIGNMENT | ----- | EFF DATE | TIME |
|----------|------------|--------------------------------|-------|------------|------|
| CMA | PROG RPT | NEXT PROGRESS REPORT DUE DATE | | 02-06-2004 | 1438 |
| CMA | RPP NEEDS | RELEASE PREP PGM NEEDS | | 02-26-2001 | 1303 |
| CMA | V94 COB913 | V94 CURR OTHER BEFORE 91394 | | 03-04-2001 | 0655 |
| CMA | V94 PV | V94 PAST VIOLENCE | | 02-26-2001 | 1258 |
| CUS | IN | IN CUSTODY | | 01-18-2001 | 0805 |
| DRG | DRG E COMP | DRUG EDUCATION COMPLETED | | 04-05-2001 | 1430 |
| DRG | DRG I NONE | NO DRUG INTERVIEW REQUIRED | | 02-26-2001 | 1549 |
| DRG | NR COMP | NRES DRUG TMT/COMPLETE | | 07-30-2002 | 1054 |
| EDI | ESL HAS | ENGLISH PROFICIENT | | 02-13-2001 | 1713 |
| EDI | GED HAS | COMPLETED GED OR HS DIPLOMA | | 07-01-2001 | 1600 |
| FRP | NO OBLG | FINANC RESP-NO OBLIGATION | | 02-26-2001 | 1306 |
| LEV | MEDIUM | SECURITY CLASSIFICATION MEDIUM | | 05-03-2000 | 1533 |
| MDS | REG DUTY | NO MEDICAL RESTR--REGULAR DUTY | | 02-21-2001 | 1554 |
| MDS | YES F/S | CLEARED FOR FOOD SERVICE | | 02-20-2002 | 1515 |
| QTR | B02-121L | HOUSE B/RANGE 02/BED 121L | | 12-30-2002 | 1701 |
| RLG | MOORISH | MOORISH SCIENCE TEMPLE | | 02-19-2001 | 0831 |
| WRK | FINISHING | UNICOR FINISHING SHOP | | 12-15-2002 | 0001 |

WORK PERFORMANCE RATING: Excellent in F/S. Now in Unicor.INCIDENT REPORTS SINCE LAST PROGRAM REVIEW: None.FRP PLAN/PROGRESS: No Oblg.RELEASE PREPARATION PARTICIPATION: Enroll closer to release.

ALMD5
PAGE 002

PROGRAM REVIEW REPORT

01-31-2003
19:15:20

CCC RECOMMENDATION: Review closer to release.

PROGRESS MADE SINCE LAST REVIEW: Clear Conduct, good work evals, enrolled in Carpentry V.T.

GOALS FOR NEXT PROGRAM REVIEW MEETING: Maintain excellent work evals in prison now thru 8-03. Show satisfactory progress toward Carpentry V.T. by 8-03. Occupy leisure time productively thru reading.

LONG TERM GOALS: Maintain clear conduct till release. Save 25% of all earnings. Obtain any and all education opportunities while incarcerated.

OTHER INMATE REQUESTS/TEAM ACTIONS: Carpenter agrees with these goals.

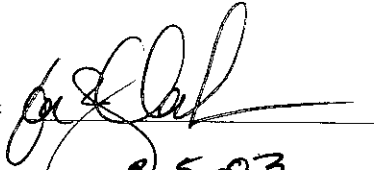
ALMD5 *
PAGE 003 OF 003

PROGRAM REVIEW REPORT

* 01-31-2003
19:15:20

SIGNATURES:

UNIT MANAGER:



DATE:

2-5-03

R. Wanner

INMATE:

x Dwayne Carpenter

DATE:

2-5-03

Exhibit 1
Attachment G

INSTITUTION: DEV DEVENS FMC

NAME.....: CARPENTER, DWAYNE A
RESIDENCE...: WASHINGTON, DC 20020

REG. NO: 05823-016

TYPE OF REVIEW.....: ~~INITIAL CLASSIFICATION~~ PROGRAM REVIEW
NEXT REVIEW DATE....: November 2003

PROJ. RELEASE DATE...: 10-16-2004 RELEASE METHOD.: PRESUM PAR
PAROLE HEARING DATE.: NONE HEARING TYPE...: NONE

DATE OF NEXT CUSTODY REVIEW: JUNE 2004 DETAINERS (Y/N): (N)

CIM STATUS (Y/N).....: (Y) IF YES, RECONCILED (Y/N): Maintained

PENDING CHARGES.....: NONE KNOWN AT THIS TIME

OFFENDER IS SUBJECT TO NOTIFICATION UNDER 18 U.S.C. 4042(B) (Y/N).....: yes
IF YES - CIRCLE ONE - DRUG TRAFFICKING CURRENT VIOLENCE ~~PAST VIOLENCE~~

| CATEGORY | ----- | CURRENT ASSIGNMENT | ----- | EFF DATE | TIME |
|----------|------------|--|-------|------------|------|
| CMA | PROG RPT | NEXT PROGRESS REPORT DUE DATE | | 02-06-2004 | 1438 |
| CMA | RPP PART | RELEASE PREP PGM PARTICIPATES | | 06-27-2003 | 0624 |
| CMA | V94 COB913 | V94 CURR OTHER BEFORE 91394 | | 03-04-2001 | 0655 |
| CMA | V94 PV | V94 PAST VIOLENCE | | 02-26-2001 | 1258 |
| CUS | IN | IN CUSTODY | | 01-18-2001 | 0805 |
| DRG | DRG E COMP | DRUG EDUCATION COMPLETED | | 04-05-2001 | 1430 |
| DRG | DRG I NONE | NO DRUG INTERVIEW REQUIRED | | 02-26-2001 | 1549 |
| DRG | NR COMP | NRES DRUG TMT/COMPLETE | | 07-30-2002 | 1054 |
| EDI | ESL HAS | ENGLISH PROFICIENT | | 02-13-2001 | 1713 |
| EDI | GED HAS | COMPLETED GED OR HS DIPLOMA | | 07-01-2001 | 1600 |
| FRP | NO OBLG | FINANC RESP-NO OBLIGATION | | 02-26-2001 | 1306 |
| LEV | MEDIUM | SECURITY CLASSIFICATION MEDIUM | | 05-03-2000 | 1533 |
| MDS | REG DUTY | NO MEDICAL RESTR--REGULAR DUTY | | 08-20-2003 | 1047 |
| MDS | YES F/S | CLEARED FOR FOOD SERVICE | | 08-20-2003 | 1048 |
| QTR | J04-432L | HOUSE J/RANGE 04/BED 432L | | 08-15-2003 | 1049 |
| RLG | MOORISH | MOORISH SCIENCE TEMPLE | | 02-19-2001 | 0831 |
| WRK | UNASSG | UNASSIGNED | | 08-27-2003 | 0851 |

WORK PERFORMANCE RATING: MR. Carpenter is currently unassigned; he should

obtain an institution work assignment and receive at least satisfactory

work performance evaluations.

INCIDENT REPORTS SINCE LAST PROGRAM REVIEW: This is MR. Carpenters initial

Review at FMC Devens.

FRP PLAN/PROGRESS: MR. Carpenter does not have any FRP obligations

Lemus D
Lemus S } Just Arrived.

RELEASE PREPARATION PARTICIPATION: MR. Carpenter is listed as RPP participant,
to date. He has completed 11 of the (6) required courses.

CCC RECOMMENDATION: Mr. Carpenter is currently being reviewed for a CCC placement date of no earlier than 4-16-04.

PROGRESS MADE SINCE LAST REVIEW: This is Mr. Carpenter's INITIAL Review at FMC Denver.

GOALS FOR NEXT PROGRAM REVIEW MEETING: By November 2003, Mr. Carpenter should enroll in at least (1) Adult Continuing Education course and make satisfactory progress towards completion, enroll in at least (2) RPP courses and make satisfactory progress towards completion, obtain an institution work assignment and receive at least satisfactory work performance evaluations, begin developing release plans, maintain clear conduct/sanitation, and begin saving money for release.

LONG TERM GOALS: Mr. Carpenter should complete at least (2) Adult Continuing Education courses prior to release, complete RPP prior to release, receive good work performance evaluations, have release plans approved by CSOS, maintain clear conduct/sanitation, and have money saved for release.

OTHER INMATE REQUESTS/TEAM ACTIONS: 4/07/04's Reviewed.

SIGNATURES: D. Suarez CSW 8-29-03 B. Lohman CLK 8/29/03

UNIT MANAGER: D. Hernandez INMATE: D. Wayne Carpenter

DATE: 8-29-03

DATE: 8-29-03

Exhibit 1
Attachment H

BP-S187.058 PROGRESS REPORT CDFRM

JUN 98

U.S. DEPARTMENT OF JUSTICE

P.S 5803.07

Attachment A

FEDERAL BUREAU OF PRISONS

| | |
|--|-------------------------------|
| Inmate Reviewed | |
| Inmate's Signature <i>X. Wayne Carpenter</i> | Date <i>11-5-03</i> |
| Staff Signature <i>[Signature]</i> | |

1. Type of Progress Report
CCC Placement

| | | |
|--|---|---|
| 2. Inmate's Name CARPENTER, Dwayne | 3. Register Number 05823-016 | 4. Age (DOB) 41 (11-13-1961) |
| 5. Present Security/Custody Level Medium/In | | |
| 6. Offense/Violator Offense D.C. 22-2901, 3202: Armed Robbery | | |
| 7. Sentence D.C. Omnibus Adult Sentence: 21 Years with a Minimum Term of 7 Years | | |
| 8. Sentence Began 07-14-1998 | 9. Months Served + Jail Credit 63 months + 624 days Jail Credit | 10. Days GCT/or EGT/SGT 45 days EGT vested |
| 11. Days FSGT/WSGT/DGCT 0/0/0 | 12. Projected Release 10-16-2004 via Parole | 13. Last USPC Action May 9, 2003: Continue to a Presumptive Parole on October 16, 2004, after service of 96 months. |
| 14. Detainers/Pending Charges: None Known at This Time | | |
| 15. Co-defendants Refer to PSI | | |

Record Copy - Inmate File; copy - U.S. Probation Office; copy - Parole Commission Regional Office (If applicable); copy - inmate
 Replaces BP-s187.058 DTD FEB 94
 (This form may be replicated via WP)

Progress Report - Continued

Committed Name: CARPENTER, Dwayne

Reg. No. 05823-016

Date: November 3, 2003

16. **INSTITUTIONAL ADJUSTMENT:** Mr. Carpenter has adjusted satisfactorily to his current incarceration. He maintains a good rapport with staff and his inmate peers. He is not considered a management or disciplinary problem.
- A. **Program Plan:** Mr. Carpenter's Initial Classification at FCI Allenwood took place on March 1, 2001. During this and subsequent reviews, the Unit Team recommended he enroll in the GED Program and make satisfactory progress towards completion, completion of the GED Program prior to release, enroll in at least (1) Adult Continuing Education Course and make satisfactory progress towards completion, completion of at least (2) Adult Continuing Education courses per year up until release, enroll in at least (2) RPP courses and make satisfactory progress towards completion, completion of RPP prior to release, voluntarily enroll in the 40 Hour Drug Education Program and make satisfactory progress towards completion, voluntary completion of the 40 Hour Drug Education Program prior to release, obtain an institution work assignment and receive at least satisfactory work performance evaluations, begin developing release plans, maintain clear conduct/sanitation, and begin saving money for release.
- B. **Work Assignments:** Mr. Carpenter was assigned to Food Service on September 1, 2003, and is receiving satisfactory work performance evaluations. While at FCI Allenwood, Mr. Carpenter was assigned to the following work details: UNICOR Finishing Shop(08-30-2002 through 08-12-2003) and Food Service(02-27-2001 through 08-30-2002).
- C. **Educational / Vocational Participation:** Since arriving at FMC Devens, Mr. Carpenter has not enrolled in, nor completed any education courses. While at FCI Allenwood, Mr. Carpenter completed the following education courses: Computer VT(03-05-2003), College Psychology of Success(09-04-2002), Truck Drivers License(11-27-2001), and GED Program(07-01-2001).
- D. **Counseling Programs:** Mr. Carpenter voluntarily completed the 40 Hour Drug Education Program on April 5, 2001.
- E. **Incident Reports:** Mr. Carpenter has maintained clear conduct during his period of incarceration..
- F. **Institutional Movement:** Mr. Carpenter arrived at FCI, Allenwood, Pennsylvania on February 6, 2001, as a D.C. Transition Case. He remained there until his transfer to FMC, Devens, Massachusetts on August 12, 2003, for medical evaluation and treatment. No further movement is planned and it is expected that he will release from this facility.
- G. **Physical / Mental Health:** Mr. Carpenter has a work assignment of Regular Duty with no medical restrictions. He has been cleared for Food Service. The Unit Team is not aware of any mental health issues.
- H. **Progress On Financial Responsibility:** Mr. Carpenter has no financial obligations at this time.
17. **RELEASE PLANNING:** Mr. Carpenter is being referred for a Community Corrections Center placement of no earlier than April 16, 2004. Upon release, he plans on residing in the District of Columbia with his wife, Roberta Carpenter. His tentative release plans are as follows:

Progress Report - Continued

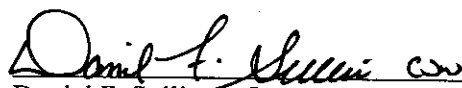
Committed Name: CARPENTER, Dwayne Reg. No. 05823-016 Date: November 3, 2003

- A. **Residence:** Roberta Carpenter (Wife)
2371 Ainger Place, S.E.
Washington, D.C. 20020
Home Telephone Number: (202) 610-0045
- B. **Employment:** To be determined upon release
- C. **USPO:** **Sentencing District**
Sharon Barnes-Durbin, SCSA
Court Services and Offender Supervision Agency
300 Indiana Avenue, N.W. Room 2010
Washington, D.C. 20001
Telephone Number: (202) 585-7427

- D. **Release Preparation Program:** Mr. Carpenter is listed as RPP Participates; to date, he has completed (1) of the (6) required courses.

Offender is subject to notification under 18 USC 4042(B), due to the offender's current conviction for Violence and Past Violence

18. **PREPARED BY:**


Daniel F. Sullivan, Case Manager

19. **DATE TYPED:**

November 3, 2003

20. **REVIEWED BY:**



Veronica Fernandez, J Unit Manager

Exhibit 1
Attachment I



U.S. Department of Justice

Federal Bureau of Prisons

Federal Medical Center, Devens

*P.O. Box 880
Ayer, MA 01432*

November 7, 2003

United States Parole Commission
Attn: Joann Kelly, Pre-Release Case Analyst
5550 Friendship Boulevard.
Suite 420
Chevy Chase, MD 20815

RE: CARPENTER, Dwayne A.
Reg. No. 05823-016

Dear Ms. Kelly:

Mr. Carpenter has been granted a presumptive parole date of October 16, 2004. He has maintained clear conduct since his last hearing and we are requesting that his presumptive parole date be made effective.

Enclosed you will find an up to date progress report on Mr. Carpenter. If additional information is needed, please call me at (978) 796-1000.

Sincerely,

A handwritten signature in black ink that reads "V. Fernandez". The signature is fluid and cursive.

Veronica Fernandez
Unit Manager

Exhibit 1
Attachment J

INSTITUTION: DEV DEVENS FMC

NAME.....: CARPENTER, DWAYNE A
RESIDENCE...: WASHINGTON, DC 20020

REG. NO: 05823-016

TYPE OF REVIEW.....: ~~INITIAL CLASSIFICATION~~ PROGRAM REVIEW

NEXT REVIEW DATE.....: February 14, 2004

PROJ. RELEASE DATE...: 10-16-2004
PAROLE HEARING DATE..: NONE

RELEASE METHOD.: PRESUM PAR
HEARING TYPE....: NONE

DATE OF NEXT CUSTODY REVIEW: June 2004 DETAINERS (Y/N): (N)

CIM STATUS (Y/N).....: (Y) IF YES, RECONCILED (Y/N): MAINTAINED

PENDING CHARGES.....: NONE KNOWN AT THIS TIME

OFFENDER IS SUBJECT TO NOTIFICATION UNDER 18 U.S.C. 4042(B) (Y/N).....: YES
IF YES - CIRCLE ONE - DRUG TRAFFICKING ~~CURRENT VIOLENCE~~ PAST VIOLENCE

| CATEGORY | - - - - - | CURRENT ASSIGNMENT | - - - - - | EFF DATE | TIME |
|----------|------------|--------------------------------|-----------|------------|------|
| CMA | PROG RPT | NEXT PROGRESS REPORT DUE DATE | | 02-06-2004 | 1438 |
| CMA | RPP PART | RELEASE PREP PGM PARTICIPATES | | 06-27-2003 | 0624 |
| CMA | RPP UNT C | RELEASE PREP UNIT PGM COMPLETE | | 10-20-2003 | 0925 |
| CMA | V94 CVA913 | V94 CURR VIOL ON/AFTER 91394 | | 08-28-2003 | 1400 |
| CMA | V94 PV | V94 PAST VIOLENCE | | 02-26-2001 | 1258 |
| CUS | IN | IN CUSTODY | | 01-18-2001 | 0805 |
| DRG | DRG E COMP | DRUG EDUCATION COMPLETED | | 04-05-2001 | 1430 |
| DRG | DRG I NONE | NO DRUG INTERVIEW REQUIRED | | 02-26-2001 | 1549 |
| DRG | NR COMP | NRES DRUG TMT/COMPLETE | | 07-30-2002 | 1054 |
| EDI | ESL HAS | ENGLISH PROFICIENT | | 02-13-2001 | 1713 |
| EDI | GED HAS | COMPLETED GED OR HS DIPLOMA | | 07-01-2001 | 1600 |
| FRP | NO OBLG | FINANC RESP-NO OBLIGATION | | 02-26-2001 | 1306 |
| LEV | MEDIUM | SECURITY CLASSIFICATION MEDIUM | | 05-03-2000 | 1533 |
| MDS | REG DUTY | NO MEDICAL RESTR--REGULAR DUTY | | 08-20-2003 | 1047 |
| MDS | YES F/S | CLEARED FOR FOOD SERVICE | | 08-20-2003 | 1048 |
| QTR | J04-406U | HOUSE J/RANGE 04/BED 406U | | 10-24-2003 | 0948 |
| RLG | MOORISH | MOORISH SCIENCE TEMPLE | | 02-19-2001 | 0831 |
| WRK | FS 4 | FOOD SERVICE 4 | | 09-08-2003 | 0001 |

WORK PERFORMANCE RATING: MR. Carpenter is currently Assigned to Food Service and is receiving satisfactory work performance evaluations.

INCIDENT REPORTS SINCE LAST PROGRAM REVIEW: MR. Carpenter has maintained Clear Conduct since his last review

FRP PLAN/PROGRESS: MR. Carpenter has no FRP obligations at this time. Lemos D- 8213^{SC}
Lemos S- 8213^{SI}

RELEASE PREPARATION PARTICIPATION: MR. Carpenter is currently participating in RPP; to date he has completed (11 of the 12) required courses

CCC RECOMMENDATION: Mr. Carpenter has been referred for a CCC placement of no earlier than 4-16-2004

PROGRESS MADE SINCE LAST REVIEW: Mr. Carpenter has maintained clear conduct.

GOALS FOR NEXT PROGRAM REVIEW MEETING: (A) By February 2004, Mr. Carpenter should enroll in at least (1) Adult Continuing Education course and make satisfactory progress towards completion, enroll in at least (2) RPP courses and make satisfactory progress towards completion, improve work performance rating from Satisfactory to Good, maintain clear conduct / sanitation and begin saving money for release.

LONG TERM GOALS: Mr. Carpenter should complete at least (2) additional Adult Continuing Education courses prior to release, complete RPP prior to release, receive good work performance evaluations, maintain clear conduct / sanitation and have money saved for release.

OTHER INMATE REQUESTS/TEAM ACTIONS: 407/408 Reviewed.

PAGE 003 OF 003

13:07:15

SIGNATURES:

Susan CSW 11-14-03 *S. Fulin 11/14/03*

UNIT MANAGER:

Kimander

INMATE:

Wayne Carpenter

DATE: 11-14-03

DATE: 11-14-03

Exhibit 1
Attachment K

BP-S210.073 INSTITUTIONAL REF AL FOR CCC PLACEMENT CDFRM
 SEP 99
 U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

| | | | |
|---|--|--|---|
| TO: Linda Moore, CCM Federal Bureau of Prisons Community Corrections 10010 Junction Drive, Suite 101-N Annapolis Junction, Maryland 20701 | | FROM: David L. Winn, Warden Signature certifies approval and CIMS Clearance <i>[Signature]</i> 11/19/03 | |
| Inmate Name: CARPENTER, Dwayne A. | | Register Number: 05823-016 | Date: November 20, 2003 |
| Unit Manager/Mail ID: Veronica Fernandez <i>[Signature]</i> | | Institution (Address and Phone Number): Federal Medical Center, Devens P.O. Box 880 Ayer, MA 01432 (978) 796-1000 | |
| 1. Release City: Washington, D.C. | | Supervision District: District of Columbia | |
| 2. Anticipated Release Date: 10-16-2004 | | Method: Parole | Verified by (ISM Staff): S. Gagnon <i>[Signature]</i> Acting Jsr |
| 3. Recommended (only one): a. Range: b. Date: 04-16-2004 | | 4. If a presumptive parole case, enter the date the pre-release record review progress report was submitted to the Parole Commission: November 7, 2003 | |
| 5. Statutory Interim Hearing Scheduled? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Waived XX N/A | | 6. Supervised Release XXX Yes No | Special Parole Term <input type="checkbox"/> Yes XXX No |
| 7. Aftercare Supervision XX Drug XX Alcohol Mental Health | | | |
| 8. CIM Case: XX Yes No | | Assignment: Separation | |
| As CMC, I have reviewed the Request for Activity Clearance (404) and the SENTRY CIM Clearance and Separation Data and I recommend the inmate be considered for CCC placement and clearance be granted by the Warden. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Signature of CMC <i>[Signature]</i> Upon signature of the Warden, I will update SENTRY to reflect CCC referral for range/date as listed in item 3 above. | | | NOTE: The CMC will update SENTRY to reflect specific dates and CCC location code upon notification of acceptance from the CCM. |
| 9. If proposed District of Supervision differs from Sentencing District, has USPO approved? Yes No XXX N/A | | 10. Does inmate have a financial obligation? Yes XXX No If yes, indicate type and how obligation will be paid in item 12. | |

11. Additional Information, including status of any detainees or pending charge(s) and whether there is a substance abuse history.

According to Mr. Carpenter's PSI, he has a lengthy history of substance abuse. He began using marijuana at the age of 12 and progressed to the use of heroin by the age of 21. He admits to being under the influence of cocaine and heroin when arrested for his instant offense. Although he voluntarily completed the 40 Hour Drug Education Program, he has never received any other formal treatment to address the issue(s) of his addiction. Mr. Carpenter is serving a term of 21 Years with a Minimum Term of 7 Years for Armed Robbery. It should be noted that Mr. Carpenter has a lengthy history of serious violence. Mr. Carpenter was found guilty of Assault with a Deadly Weapon on December 5, 1980, was charged with Assault with Intent to Kill While Armed, but plead to a lesser included offense on August 7, 1981, and Simple Assault on September 28, 1981. In addition, Mr. Carpenter's PSI indicates he has unresolved charges. Mr. Carpenter was arrested on April 3, 1983 for Robbery with a Deadly Weapon. Prince George's County Prosecutor, Upper Marlboro, Maryland has confirmed that this case was Not Prossed. On August 30, 1983, Mr. Carpenter was arrested for Armed Robbery/Carrying Handgun in Commission of a Felony, in Montgomery County, Rockville, Maryland. According to the State's Attorney, Mr. Carpenter plead guilty on December 20, 1983, to Armed Robbery. The remaining counts were Not Prossed. He was sentenced to 6 years commencing on February 8, 1980, with 3 years suspended, and 3 years Supervised Probation. The sentence was to run concurrently to a 13 Year sentence he was then serving in the Indiana State Prison system. There are currently no known detainees or pending charges.

12. Specific release preparation/Pre-natal care needs.

Mr. Carpenter does not have any financial obligations at this time. Upon release, Mr. Carpenter has secured a release residence with his wife, Roberta Carpenter. In lieu of medical insurance, Mrs. Carpenter has agreed to assume responsibility for any medical expenses Mr. Carpenter might incur. It is with the assistance of a Community Corrections Center placement that will allow Mr. Carpenter to secure employment, obtain the necessary drug treatment services, and make a successful reintegration back into society.

13. For MINT Referrals, Date of Delivery:

14. (A) For MINT Referrals, Projected Date of Return to Parent Institution:
 (B) Proposed guardian:

| TO BE FORWARDED WITH THE REFERRAL FORM | NO. COPIES | TO BE FORWARDED TO THE REGIONAL TSM | NO. COPIES |
|--|------------|--|------------|
| BP-S210, Referral Form | 2 | BP-S210, Referral Form | 1 |
| Current Progress Report | 2 | Current Progress Report | 2 |
| Pre-sentence Report/Violation Report | 2 | Treatment Summary and Referral Form | 2 |
| Community Based Program Agreement | 2 | Drug Abuse Treatment Programs Agreement to Participate in Community Transition Programming | 2 |
| BP-339 CIM Case Information Summary (Non-Separation Cases) | 1 | | |
| USPO Acceptance Letter | 2 | | |
| Copy of Latest Notice of Action | 2 | | |
| BP-351 Medical Evaluation for Transfer of Inmates to CCC Type Facility | 2 | | |
| Judgment & Commitment Order | 2 | | |
| Statement of Responsibility | 2 | | |

* If the inmate has a diagnosed, ongoing medical condition, such as diabetes or coronary disease, send any pertinent medical records.

Record Copy - CCM; Copy - Institution File; Copy - USPO Sentencing District; Copy USPO District of Supervision
 (This form may be replicated via WP) This form replaces BP-210 November 1995

Exhibit 1
Attachment L

Hope Village

2840 Langston Place, S.E.
Washington, D.C. 20020
(202) 678-1077/678-1551
Fax (202) 678-0161

2FJ

December 2, 2003

Dear Dewayne Carpenter, #05823-016:

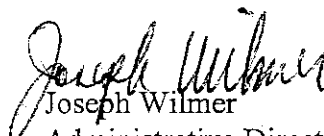
I am writing to inform you that we have approved your referral for acceptance to Hope Village Community Correctional Center.

The acceptance date of April 20, 2004, with a tentative placement date pending final approval from the appropriate authorities.

Enclosed is a copy of our rules and regulations. After you have reviewed, please sign and return the enclosed signature form through your Case Manager.

We hope your stay at Hope Village will be a successful one.

Sincerely,


Joseph Wilmer
Administrative Director

Enclosure(s)

"HOPE VILLAGE CHANGES LIVES"

Exhibit 1
Attachment M

From: CBR/CCM~
To: Fernandez, Veronica A.
Date: 3/17/2004 8:25:36 AM
Subject: Carpenter #05823-016

Veronica, after pulling this inmates file and checking his medical info on sentry and his job abilities, I changed his date to 06-16-04. He has significant medical problems(renal failure, dialysis,hypertension) and am sure he can not work a 40 hr job. Subsequently, I am allowing him a 4 month placement instead of a 6 month placement.

Exhibit 1
Attachment N

DEVBE
PAGE 001

PROGRAM REVIEW REPORT

* 02-10-2004
12:09:20

INSTITUTION: DEV DEVENS FMC

NAME.....: CARPENTER, DWAYNE A
RESIDENCE...: WASHINGTON, DC 20020

REG. NO: 05823-016

TYPE OF REVIEW.....: ~~INITIAL CLASSIFICATION~~ PROGRAM REVIEW
NEXT REVIEW DATE.....: finalPROJ. RELEASE DATE...: 10-16-2004
PAROLE HEARING DATE..: NONERELEASE METHOD..: PRESUM PAR
HEARING TYPE....: NONEDATE OF NEXT CUSTODY REVIEW: final

DETAINERS (Y/N): N

CIM STATUS (Y/N).....: Y

IF YES, RECONCILED (Y/N): yesPENDING CHARGES.....: none knownOFFENDER IS SUBJECT TO NOTIFICATION UNDER 18 U.S.C. 4042(B) (Y/N).....: yes
IF YES - CIRCLE ONE - DRUG TRAFFICKING CURRENT VIOLENCE PAST VIOLENCE

| CATEGORY | CURRENT ASSIGNMENT | EFF DATE | TIME |
|----------|--------------------|--------------------------------|-----------------|
| CMA | PROG RPT | NEXT PROGRESS REPORT DUE DATE | 11-03-2006 1209 |
| CMA | RPP PART | RELEASE PREP PGM PARTICIPATES | 06-27-2003 0624 |
| CMA | RPP UNT C | RELEASE PREP UNIT PGM COMPLETE | 10-20-2003 0925 |
| CMA | V94 CVA913 | V94 CURR VIOL ON/AFTER 91394 | 08-28-2003 1400 |
| CMA | V94 PV | V94 PAST VIOLENCE | 02-26-2001 1258 |
| CUS | IN | IN CUSTODY | 01-18-2001 0805 |
| DRG | DRG E COMP | DRUG EDUCATION COMPLETED | 04-05-2001 1430 |
| DRG | DRG I NONE | NO DRUG INTERVIEW REQUIRED | 02-26-2001 1549 |
| DRG | NR COMP | NRES DRUG TMT/COMPLETE | 07-30-2002 1054 |
| DST | SPG MS | SPRINGFIELD MCFP-MED SURG | 12-31-2003 1119 |
| EDI | ESL HAS | ENGLISH PROFICIENT | 02-13-2001 1713 |
| EDI | GED HAS | COMPLETED GED OR HS DIPLOMA | 07-01-2001 1600 |
| FRP | NO OBLG | FINANC RESP-NO OBLIGATION | 02-26-2001 1306 |
| LEV | MEDIUM | SECURITY CLASSIFICATION MEDIUM | 05-03-2000 1533 |
| MDS | LOWER BUNK | LOWER BUNK REQUIRED | 12-11-2003 0729 |
| MDS | REG DUTY | NO MEDICAL RESTR--REGULAR DUTY | 02-10-2004 0001 |
| MDS | YES F/S | CLEARED FOR FOOD SERVICE | 08-20-2003 1048 |
| QTR | J04-406L | HOUSE J/RANGE 04/BED 406L | 12-31-2003 1239 |
| RLG | MOORISH | MOORISH SCIENCE TEMPLE | 02-19-2001 0831 |
| WRK | FS 2 | FOOD SERVICE PM | 01-05-2004 0001 |

WORK PERFORMANCE RATING: Not factoring with reportsINCIDENT REPORTS SINCE LAST PROGRAM REVIEW: None since incarcerationFRP PLAN/PROGRESS: No obligation 1 sub 6 hrs. 320.22 Bal 2.90

DEVBE
PAGE 002

PROGRAM REVIEW REPORT

02-10-2004
12:09:20

RELEASE PREPARATION PARTICIPATION:

part status. Personal growth
Completed, ~~the~~ category.
needs 5 more categories.

CCC RECOMMENDATION:

4/20/04 CCE placement.

PROGRESS MADE SINCE LAST REVIEW:

clean conduct, CCE placement,
Satisfactory with report, no education or release classes
was not saved & for release.

GOALS FOR NEXT PROGRAM REVIEW MEETING:

all sanitation, good-outstanding
with report, complete 2 release classes (Health sanitation
Employment). save \$50 for release purposes.
Compl. w/ medical treatment. smoking cessation

LONG TERM GOALS:

complete 2 release classes prior to
4/20/04. Maintain family ties, \$50 save for release.

OTHER INMATE REQUESTS/TEAM ACTIONS:

Renewed 402, 408.

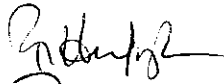
presumptive date → effective date - parole.
Waiting for parole commission to change
to parole.

DEVBE
PAGE 003 OF 003 *

PROGRAM REVIEW REPORT

02-10-2004
12:09:20 *

SIGNATURES:





UNIT MANAGER:

Hernandez

INMATE:

Dwayne Carpenter

DATE:

2/1/04

DATE:

2/11/04

Exhibit 1
Attachment 0

SEP 98

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

| | |
|---|-----------------------------------|
| TO: (Name and Title of Staff Member) <i>Mrs. FERNANDEZ Unit MANGER</i> | DATE: <i>3/17/04</i> |
| FROM: <i>D'WAYNE CARPENTER</i> | REGISTER NO.: <i>05823-016</i> |
| WORK ASSIGNMENT: <i>Food SERVICE</i> | UNIT: <i>5B</i> |

SUBJECT: (Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request.)

Would you please give me a copy of how my half way house date change from 4-20-04 to 6-20-04

Thank you

(Do not write below this line)

DISPOSITION:

On 3/17/04 we were notified by the Community Corrections Office in Baltimore that your date was changed to 6-16-04 due to your medical problems. You are now receiving a 4 month placement instead of 6 months

| | |
|---|------------------------|
| Signature Staff Member <i>D. Fernandez</i> | Date <i>3/17/04</i> |
|---|------------------------|

Record Copy - File; Copy - Inmate
(This form may be replicated via WP)

This form replaces BP-148.070 dated Oct 86 and BP-S148.070 APR 94

Exhibit 1
Attachment P

BP-S210.073 INSTITUTIONAL REFERRAL FOR CCC PLACEMENT CDFRM
SEP 99

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

| | | | |
|---|---|--|-----------------------|
| TO: Linda Moore, CCM 10010 Junction Drive Suite 101-N Annapolis Junction, MD 20701 | | FROM: David L. Winn, Warden <i>[Signature]</i> 7/1/4 | |
| Inmate Name CARPENTER, Dwayne A. | | Register Number 05823-016 | Date June 30, 2004 |
| Unit Manager/Mail ID Veronica Fernandez <i>[Signature]</i> | | Institution (Address and Phone Number) FMC Devens P.O. Box 880 Ayer, MA 01432 (978) 796-1000 | |
| 1. Release City: Washington, DC | | Supervision District: District of Columbia | |
| 2. Anticipated Release Date October 16, 2004 | Method Parole | Verified by (ISM Staff) Steve Gagnon, ISM <i>[Signature]</i> | |
| 3. Recommended (only one): a. Range or b. Date July 26, 2004 (home confinement) | | 4. If a presumptive parole case, enter the date the pre-release record review progress report was submitted to the Parole Commission: November 7, 2003 | |
| 5. Statutory Interim Hearing Scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Waived | 6. Supervised Release Yes <input checked="" type="checkbox"/> No | Special Parole Term X Yes No | |
| 7. Aftercare Supervision X Drug X Alcohol Mental Health <input type="checkbox"/> Other N/A | | | |
| 8. CIM Case: X Yes No | | Assignment: Separation | |
| As CMC, I have reviewed the Request for Activity Clearance (404) and the SENTRY CIM Clearance and Separation Data and I recommend the inmate be considered for CCC placement and clearance be granted by the Warden. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Signature of CMC <i>[Signature]</i> Upon signature of the Warden, I will update SENTRY to reflect CCC referral for range/date as listed in item 3 above. | | NOTE: The CMC will update SENTRY to reflect specific dates and CCC location code upon notification of acceptance from the CCM. | |
| 9. If proposed District of Supervision differs from Sentencing District, has USPO approved? X Yes No N/A | | 10. Does inmate have a financial obligation? Yes X No If yes, indicate type and how obligation will be paid in item 12. | |
| 11. Additional Information, including status of any detainers or pending charge(s) and whether there is a substance abuse history. According to Mr. Carpenter's Pre Sentence Investigation Report, he has a lengthy history of substance abuse. He began using marijuana at the age of 12 and progressed to the use of heroin by the age of 21. He admits to being under the influence of cocaine and heroin when arrested for his instant offense. He voluntarily completed the 40 hour Drug Education Program and the Non-Residential Drug Abuse Program. Psychology staff recommends drug abstinence and support groups. In addition, Mr. Carpenter's PSI indicates he has unresolved charges. Mr. Carpenter was arrested on April 3, 1983, for Robbery with a Deadly Weapon. Prince George's County Prosecutor, Upper Marlboro, Maryland has confirmed that this case was Not Prossed. On August 30, 1983, Mr. Carpenter was arrested for Armed Robbery/Carrying Handgun in Commission of a Felony, in Montgomery County, Rockville, Maryland. According to the State's Attorney, Mr. Carpenter plead guilty on December 20, 1983, to Armed Robbery. The remaining counts were Not Prossed. He was sentenced to 6 years commencing on February 8, 1980, with 3 years suspended, and 3 years supervised probation. The sentence was to run concurrently to a 13 year sentence he was serving in the Indiana State Prison system. Currently, there are no known detainers or pending charges. | | | |
| 12. Specific release preparation/Pre-natal care needs. Mr. Carpenter has been diagnosed with Hepatitis C, chest pain, history of right kidney removed in 1992, Hypertension, and polysubstance abuse. He receives dialysis three times a week. Mr. Carpenter applied for Social Security Disability with the assistance of a staff social worker and has been approved. The social worker is assisting Mr. Carpenter in securing a place for him to receive dialysis three times a week in the community. Also, his wife, Roberta Carpenter has agreed to be responsible for any additional medical expenses incurred while Mr. Carpenter is on home confinement. Previously, Mr. Carpenter had been approved for acceptance to Hope Village Community Correctional Center for June 16, 2004. This placement was later denied based on Mr. Carpenter's medical problems. Recently, his medical doctor at FMC Devens has medically cleared him to be re-considered for a CCC placement. To aid his reintegration in the community, the Unit Team is recommending that Mr. Carpenter receive a Community Corrections Center (home confinement) placement date of July 26, 2004. | | | |
| 13. For MINT Referrals, Date of Delivery: | | 14. (a) For MINT Referrals, Projected Date of Return to Parent Institution: (B) Proposed guardian: | |

Sensitive Limited Official Use Only

Exhibit 1
Attachment Q

FUNCTION: LST SCOPE: REG EQ 05823-016 OUTPUT FORMAT: FULL
-----LIMITED TO SUBMISSIONS WHICH MATCH ALL LIMITATIONS KEYED BELOW-----
DT RCV: FROM _____ THRU _____ DT STS: FROM _____ THRU _____
DT STS: FROM _____ TO _____ DAYS BEFORE "OR" FROM _____ TO _____ DAYS AFTER DT RDU
DT TDU: FROM _____ TO _____ DAYS BEFORE "OR" FROM _____ TO _____ DAYS AFTER DT TRT
STS/REAS: _____
SUBJECTS: _____
EXTENDED: REMEDY LEVEL: _____ RECEIPT: _____ "OR" EXTENSION: _____
RCV OFC : EQ _____
TRACK: DEPT: _____
PERSON: _____
TYPE: _____
EVNT FACL: EQ _____
RCV FACL.: EQ _____
RCV UN/LC: EQ _____
RCV QTR.: EQ _____
ORIG FACL: EQ _____
ORG UN/LC: EQ _____
ORIG QTR.: EQ _____

G0002

MORE PAGES TO FOLLOW . . .

DEVEN
PAGE 002

REGNO: 05823-016 NAME: CARPENTER, DWAYNE
RSP OF...: DEV UNT/LOC/DST: J CC QTR.: J04-406L RCV OFC: ALM
REMEDY ID: 275778-F1 SUB1: 12EM SUB2: DATE RCV: 08-21-2002
UNT RCV...: UNIT 2A QTR RCV.: B04-218L FACL RCV: ALM
UNT ORG...: UNIT 2A QTR ORG.: B04-218L FACL ORG: ALM
EVT FACL.: ALM ACC LEV: ALM 1 RESP DUE: TUE 09-10-2002
ABSTRACT.: MERITORIOUS GOOD TIME BY FOOD SERVICE NOT REC'D
STATUS DT: 08-30-2002 STATUS CODE: CLD STATUS REASON: DNY
INCRPTNO.: RCT: P EXT: DATE ENTD: 08-21-2002
REMARKS...:

G0002 MORE PAGES TO FOLLOW . . .

REGNO: 05823-016 NAME: CARPENTER, DWAYNE
RSP OF...: DEV UNT/LOC/DST: J CC QTR.: J04-406L RCV OFC: DEV
REMEDY ID: 330468-F1 SUB1: 19FM SUB2: DATE RCV: 04-06-2004
UNT RCV...: J CC QTR RCV.: J04-406L FACL RCV: DEV
UNT ORG...: J CC QTR ORG.: J04-406L FACL ORG: DEV
EVT FACL.: DEV ACC LEV: DEV 1 NER 1 BOP 1 RESP DUE: MON '04-26-2004
ABSTRACT.: WANTS ORIGINAL DATE OF CCC PLACEMENT BACK TO 4/16/04
STATUS DT: 07-13-2004 STATUS CODE: CLO STATUS REASON: XPL
INCRPTNO.: RCT: P EXT: DATE ENTD: 04-09-2004
REMARKS...:

CURRENT INVESTIGATIVE AND RELIEF TRACKING DATA

| DATE DUE | DEPARTMENT | TO | DATE ASSN | TRK TYPE | DATE RETURNED |
|----------------|------------|-----|------------|----------|---------------|
| FRI 04-16-2004 | UNT MGT | JJ | 04-09-2004 | INV | 05-14-2004 |
| FRI 05-14-2004 | EXEC ASST | DM | 05-14-2004 | INV | 05-17-2004 |
| TUE 05-18-2004 | CEO | DLW | 05-18-2004 | SIG | 05-18-2004 |

G0002 MORE PAGES TO FOLLOW . . .

REGNO: 05823-016 NAME: CARPENTER, DWAYNE
RSP OF...: DEV UNT/LOC/DST: J CC QTR.: J04-406L RCV OFC: NER
REMEDY ID: 330468-R1 SUB1: 26AM SUB2: 19FM DATE RCV: 05-27-2004
UNT RCV...: J CC QTR RCV.: J04-406L FACL RCV: DEV
UNT ORG...: J CC QTR ORG.: J04-406L FACL ORG: DEV
EVT FACL.: DEV ACC LEV: DEV 1 NER 1 BOP 1 RESP DUE: SAT 06-26-2004
ABSTRACT.: CCC PLACEMENT & MEDICAL ISSUES
STATUS DT: 06-24-2004 STATUS CODE: CLD STATUS REASON: DNY
INCRPTNO.: RCT: P EXT: DATE ENTD: 06-01-2004
REMARKS...:

G0002 MORE PAGES TO FOLLOW . . .

REGNO: 05823-016 NAME: CARPENTER, DWAYNE
RSP OF...: DEV UNT/LOC/DST: J CC QTR.: J04-406L RCV OFC: BOP
REMEDY ID: 330468-A1 SUB1: 26AM SUB2: 19FM DATE RCV: 07-19-2004
UNT RCV...: J CC QTR RCV.: J04-406L FACL RCV: DEV
UNT ORG...: J CC QTR ORG.: J04-406L FACL ORG: DEV
EVT FACL.: DEV ACC LEV: DEV 1 NER 1 BOP 1 RESP DUE: SAT 08-28-2004
ABSTRACT.: CCC PLACEMENT & MEDICAL ISSUES
STATUS DT: 07-29-2004 STATUS CODE: ACC STATUS REASON:
INCRPTNO.: RCT: P EXT: DATE ENTD: 07-29-2004
REMARKS...:

G0000 4 REMEDY SUBMISSION(S) SELECTED
TRANSACTION SUCCESSFULLY COMPLETED

Exhibit 1
Attachment R

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

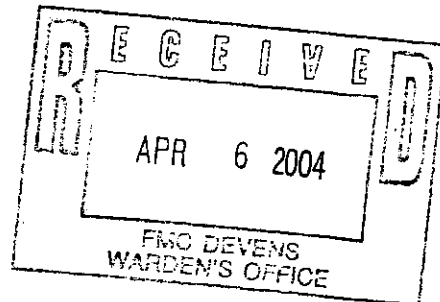
From: CLEMENTE, DIONISIO A 05223-016 JB FMC DEVENS
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A- INMATE REQUEST ON March 17, 2004 I was notified by unit staff that my half way house date has changed from April 20, 2004 to June 26, 2004 due to medical reasons. After checking with medical staff there isn't anything in my medical records that would prevent me from receiving my 10% date. Also I've check with ICM and my 10% date would be April 16, 2004 in which I am now not receiving SEE ATTACHED PAPERS ALSO SEE PROGRAM STATEMENT 7310.04

April 1, 2004
DATE

Dwayne A. Casarone
SIGNATURE OF REQUESTER

Part B- RESPONSE



DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

FIRST COPY: WARDEN'S ADMINISTRATIVE REMEDY FILE

CASE NUMBER: 2004-17-151

CASE NUMBER: _____

Part C- RECEIPT

Return to: _____
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: _____

DATE

RECIPIENT'S SIGNATURE (STAFF MEMBER)

**FEDERAL MEDICAL CENTER, DEVENS, MASSACHUSETTS
RESPONSE TO REQUEST FOR ADMINISTRATIVE REMEDY #330468-F1**

This is in response to your Administrative Remedy in which you state that your halfway house date was changed from April 20, 2004 to June 16, 2004, due to medical reasons. Additionally, you claim that you checked with medical staff and there was nothing in your medical records that prevented you from receiving a six month placement in a Community Corrections Center (CCC).

As you are aware, an investigation of your complaint has revealed that further review of your current medical condition is warranted. Once this review is complete, you will be notified. Your assigned Unit Team, who will also be notified, will then re-evaluate your current CCC placement date.

Based on the above findings, your Request for Administrative Remedy is for informational purposes only.

If you are not satisfied with this decision, you may appeal to the Regional Director at Bureau of Prisons, Northeast Regional Office, U.S. Customs House, 7th Floor, 2nd and Chestnut Streets, Philadelphia, Pennsylvania 19106. Your appeal must be received in the Northeast Regional Office within 20 days from the date of this response.



David L. Winn, Warden

5/18/04

Date

Exhibit 1
Attachment S

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-DIR-9 including any attachments must be submitted with this appeal.

From: CARPENTER DWAYNE A. 05933-012 IB FMC DEVENS
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A—REASON FOR APPEAL ON MARCH 17, 2004 I WAS NOTIFIED THAT MY WORK
DATE WAS CHANGED DUE TO MEDICAL REASONS. THIS DATE WAS CHANGED TO
JUNE 13, 2004. ON MAY 20, 2004 I WAS NOTIFIED THAT MY DATE HAS BEEN
CHANGED UNTIL FURTHER NOTICE. ONCE AGAIN CLAIMING MEDICAL REASONS.
THE DATE'S ARE BEING CHANGED BECAUSE THE MEDICAL STAFF HERE
AT FMC DEVENS HAS FAIL TO PROPERLY DIAGNOSE A MEDICAL PROBLEM
AND THIS WENT UN-NOTICE FOR MONTHS BY THIS MEDICAL STAFF.
WHEREAS THE MEDICAL STAFF HAD ALREADY CLEAR ME. NOW MY 10%
DATE HAS BEEN TAKEN BECAUSE OF THE POOR MEDICAL TREATMENT
AND EVALUATION GIVEN HERE AT FMC DEVENS.

MAY 22, 2004
DATE

D Wayne Carpenter
SIGNATURE OF REQUESTER

Part B—RESPONSE

DATE

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

THIRD COPY: WARDEN'S ADMINISTRATIVE REMEDY FILE

CASE NUMBER: 330462-R1

Part C—RECEIPT

CASE NUMBER: DEV

Return to: _____
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: _____

CARPENTER, Dwayne A.
Reg. No. 05823-016
Appeal No. 330468-R1
Page One

Part B - Response

In your appeal, you allege your Community Corrections Center (CCC) designation date has been changed indefinitely because the medical staff at FMC Devens failed to properly diagnose your medical problem. You claim your 10% date has been taken because of the poor medical treatment and evaluation that you received.

A review of your appeal reveals that the medical department at FMC Devens initially cleared you for CCC placement and you received a CCC placement date. Upon further review of your case and medical condition, your CCC placement date was rescinded. Since that time, you have experienced additional medical problems and are currently on medical convalescence. There is no evidence to substantiate your allegation that you have not been properly diagnosed or that you have been receiving poor medical treatment. An inmate does not have the right to be transferred to a CCC. Medical concerns is a proper basis to postpone or rescind CCC placement. Your CCC placement will be reexamined after your medical condition has stabilized. Accordingly, your appeal is denied.

If you are dissatisfied with this response, you may appeal to the General Counsel, Federal Bureau of Prisons. Your appeal must be received in the Administration Remedy Section, Office of General Counsel, Federal Bureau of Prisons, 320 First Street, N.W., Washington, D.C. 20534, within 30 calendar days of the date of this response.

Date: June 24, 2004



D. SCOTT DODRILL
Regional Director

Exhibit 1
Attachment T

U.S. Department of Justice

Federal Bureau of Prisons

Central Office Administrative Remedy Appeal

Type or use ball-point pen. If attachments are needed, submit four copies. One copy each of the completed BP-DTR-9 and BP-DTR-10, including any attachments must be submitted with this appeal.

From: CARPENTER D'WAYNE A. 05823-016 JB FMC DEVENS
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A—REASON FOR APPEAL According to BOP program statement there is nothing stating that one would be discriminated against because of medical reason, on June 23, 2004 I was taken to U-Mass Medical Hospital for a cardiac catheterization test. And was told by Dr. Mercadante whom perform the test that there is nothing wrong with my heart. Furthermore there are no showing of prior or present heart problems. This complaint has now become compounded. Not only has this become discrimination it has also become malpractice. I have been given medication for a non-existence heart problem since 10/31/03.

July 7, 2004
 DATE

D'Wayne A. Carpenter
 SIGNATURE OF REQUESTER

Part B—RESPONSE

19 2004

DATE

GENERAL COUNSEL

CASE NUMBER:

330468 A

CASE NUMBER:

ORIGINAL: RETURN TO INMATE

Part C—RECEIPT

Return to:

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

SUBJECT:

DATE

SIGNATURE OF RECIPIENT OF CENTRAL OFFICE APPEAL

BP-231(13)
APRIL 1982

Exhibit 1
Attachment U



Program Statement

OPI: CPD
NUMBER: 7310.04
DATE: 12/16/98
SUBJECT: Community Corrections
Center (CCC)
Utilization and
Transfer Procedure

1. PURPOSE AND SCOPE. To provide guidelines to staff regarding the effective use of Community Corrections Centers (CCCs). This Program Statement defines placement criteria for offenders, requires that staff members start the placement process in a timely manner, and defines the circumstances when inmates may refuse Community Corrections (CC) programs. It also establishes an operational philosophy for CCC referrals that, whenever possible, eligible inmates are to be released to the community through a CCC unless there is some impediment as outlined herein.

CCCs provide an excellent transitional environment for inmates nearing the end of their sentences. The level of structure and supervision assures accountability and program opportunities in employment counseling and placement, substance abuse, and daily life skills.

One reason for referring an inmate to a CCC is to increase public protection by aiding the transition of the offender into the community. Participating in community-based transitional services may reduce the likelihood of an inmate with limited resources from recidivating, whereas an inmate who is released directly from the institution to the community may return to a criminal lifestyle. While clearly dangerous inmates should be separated from the community until completing their sentences, other eligible inmates should generally be referred to CCCs to maximize the chances of successful reintegration into society.

Finally, the scope of this Program Statement has been extended to include CCC consideration/placement of District of Columbia Department of Corrections inmates.

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2. PROGRAM OBJECTIVES. The expected results of this program are:

a. All eligible inmates will have opportunities to participate in CCC programs to assist with their reintegration into the community, in accordance with their release needs.

b. All inmates will have opportunities to communicate directly with staff who make significant CCC referral recommendations.

c. Referral packets for CCC placement will be timely and complete.

d. Before any inmate is transferred to a CCC, the CCC staff will have the required notice and other documentation.

e. The public will be protected from undue risk.

3. DIRECTIVES AFFECTED

a. Directive Rescinded

PS 7310.03 Community Corrections Center (CCC)
Utilization and Transfer Procedures (3/25/96)

b. Directives Referenced

PS 1434.06 Jurisdiction on Escape Related Issues -
Memorandum of Understanding USMS/FBI/BOP
(7/25/94)

PS 1490.04 Victim and Witness Notification (2/3/98)

PS 5100.06 Security Designation and Custody
Classification Manual (6/7/96)

PS 5110.12 Notifications of Release to State and Local
Law Enforcement Officials (1/21/98)

PS 5180.04 Central Inmate Monitoring System (8/16/96)

PS 5250.01 Public Works and Community Service Projects
(1/19/93)

PS 5264.06 Telephone Regulations for Inmates (12/22/95)

PS 5280.08 Furloughs (2/4/98)

PS 5322.10 Classification and Program Review of Inmates
(9/4/96)

PS 5325.05 Release Preparation Program, Institution
(7/18/96)

PS 5330.10 Drug Abuse Programs Manual, Inmate (5/25/95)

PS 5380.05 Financial Responsibility Program, Inmate
(12/22/95)

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PS 5550.05 Escape from Extended Limits of Confinement
 (3/27/96)
PS 5553.05 Escapes/Deaths Notification (9/17/97)
PS 5800.07 Inmate Systems Management Manual (12/24/91)
PS 5800.11 Central File, Privacy Folder, and Parole Mini'
 File (9/7/97)
PS 5873.05 Release Gratuities, Transportation, and
 Clothing (9/4/96)
PS 5882.03 Fines and Costs (2/4/98)
PS 6000.05 Health Services Manual (9/15/96)
PS 6070.05 Birth Control, Pregnancy, Child Placement,
 and Abortion (8/9/96)
PS 7300.09 Community Corrections Manual (1/12/98)
PS 7320.01 Home Confinement (9/6/95)
PS 7331.03 Pretrial Inmates (11/22/94)
PS 7430.01 Community Transitional Drug Treatment
 Services, Inmate (1/20/95)

18 U.S.C. § 3621(b)

18 U.S.C. § 3624(c)

4. STANDARDS REFERENCED

a. American Correctional Association 3rd Edition Standards for Adult Correctional Institutions: 3-4265, 3-4343, 3-4343-1, 3-4387, 3-4388, 3-4388-2, 3-4389, 3-4391, 3-4393, 3-4393-1

b. American Correctional Association 3rd Edition Standards for Adult Local Detention Facilities: 3-ALDF-3E-04, 3-ALDF-4E-19, 3-ALDF-4E-19-1, 3-ALDF-4F-04, 3-ALDF-4F-05, 3-ALDF-4F-07, 3-ALDF-4G-01, 3-ALDF-4G-06, 3-ALDF-4G-07

c. American Correctional Association 2nd Edition Standards for Administration of Correctional Agencies: 2-CO-4G-01, 2-CO-4G-02

d. American Correctional Association Standards for Adult Correctional Boot Camp Programs: 1-ABC-3D-04, 1-ABC-4E-20, 1-ABC-4F-08, 1-ABC-4F-10, 1-ABC-4G-01, 1-ABC-4G-02, 1-ABC-4G-03, 1-ABC-4G-06

5. STATUTORY AUTHORITY. 18 U.S.C. § 3624(c), provides:

"The Bureau of Prisons shall, to the extent practicable, assure that a prisoner serving a term of imprisonment spends a reasonable part, not to exceed six months, of the last ten per centum of the term to be served under conditions that will afford the prisoner a reasonable opportunity to adjust

to and prepare for the prisoner's reentry into the community. The authority provided by this subsection may be used to place a prisoner in home confinement. The United States Probation Office shall, to the extent practicable, offer assistance to a prisoner during such pre-release custody."

18 U.S.C. § 3621(b) provides:

"The Bureau of Prisons shall designate the place of the prisoner's imprisonment. The Bureau may designate any available penal or correctional facility . . . the Bureau determines to be appropriate and suitable." A CCC meets the definition of a "penal or correctional facility."

Therefore, the Bureau is not restricted by § 3624(c) in designating a CCC for an inmate and may place an inmate in a CCC for more than the "last ten per centum of the term," or more than six months, if appropriate.

Section 3624(c), however, does restrict the Bureau in placing inmates on home confinement to the last six months or 10% of the sentence, whichever is less.

6. PRETRIAL/HOLDOVER AND/OR DETAINEE INMATES. This Program Statement does not apply to pretrial, holdover, or detainee inmates.

7. COMMUNITY-BASED PROGRAMS

a. Community Corrections Centers (CCC). CCCs, commonly referred to as "halfway houses," provide suitable residence, structured programs, job placement, and counseling, while the inmates' activities are closely monitored. All CCCs offer drug testing and counseling for alcohol and drug-related problems. During their stay, inmates are required to pay a subsistence charge to help defray the cost of their confinement; this charge is 25% of their gross income, not to exceed the average daily cost of their CCC placements. Failure to make subsistence payments may result in disciplinary action.

These contract facilities, located throughout the United States, provide two program components: the Community Corrections Component and the Prerelease Component:

(1) The Community Corrections Component is designed as the most restrictive option. Except for employment and other structured program activities, an inmate in this component is

restricted to the CCC. An inmate shall ordinarily be placed in the Community Corrections Component upon arrival at the CCC..

This orientation period normally lasts for two weeks or until the inmate has demonstrated to CCC staff the responsibility necessary to function in the community. Based on their professional judgment, CCC staff shall determine when an inmate is prepared to advance to the Prerelease Component.

(2) The Prerelease Component is designed to assist inmates making the transition from an institution setting to the community. These inmates have more access to the community and family members through weekend and evening passes.

b. Community Corrections Programs. In addition to a CCC's traditional services, the Bureau also has the following community-based programs. Referral procedures may be described in independent Bureau directives issuances. The Community Corrections Manager (CCM) reviews the inmate's characteristics and the recommendations noted in the referral package to determine if one of the following programs (if available) may be more appropriate than traditional CCC placement.

(1) Comprehensive Sanctions Center (CSC). The CSC concept, initiated by the Bureau, with the extensive cooperation and teamwork of U.S. Probation and CCC contractors, was developed to provide courts with a wider range of sentencing options and to facilitate the development and implementation of community program plans tailored to the individual needs of prerelease inmates.

The CSC is designed to meet the needs of higher risk prerelease inmates and consists of six different levels of supervision, ranging from 24-hour confinement to Home Confinement.

It also may have an intensive treatment component consisting of substance abuse education and treatment, life skills training, mental health counseling, education, employment assistance, and mentoring. The inmate's progress is systematically reviewed by a Program Review Team (PRT), consisting of representatives from the Bureau, U.S. Probation, and the CCC.

(2) Mothers and Infants Together (MINT). MINT is an alternative residential program that promotes bonding and parenting skills for low risk female inmates who are pregnant. The inmate is placed in the program two months prior to delivery and remains there for three months after delivery.

(3) Home Confinement. Home Confinement is a generic term used to cover all circumstances in which an inmate is required to remain at home during non-working hours of the day. Electronic monitoring equipment is sometimes used to monitor compliance with the program's conditions. These programs provide an opportunity for inmates to assume increasing levels of responsibility, while, at the same time, providing sufficient restrictions to promote community safety and convey the sanctioning value of the sentence.

Home Confinement provides an option for inmates who do not need the structure of a residential facility. Except for inmates who are initially sentenced to and graduate from the Intensive Confinement Center Program, statutory provisions limit the length of Home Confinement to the last 10% of the sentence, or six months, whichever is less. Inmates are required to pay subsistence of 25% of their gross income to defray the costs of Home Confinement and electronic monitoring.

The Bureau is involved in two Home Confinement programs: Home Confinement operates from the Bureau's own network of CCCs and the U.S. Probation Division program.

(a) CCC Contractors. The first form of Home Confinement is CCC contractor-operated programs. In these programs, CCC staff monitor the inmate. Currently, only a few of these programs use electronic monitoring equipment. Supervision is provided by daily telephone contacts and periodic personal contacts in the home and workplace.

(b) U.S. Probation Office. The second form of Home Confinement involves placing federal inmates in programs operated by the U.S. Probation Office. These programs use electronic monitoring equipment with U.S. Probation Officers (USPO) providing supervision.

(4) Transitional Services Program (TSP). The community-based transition phase of the Bureau's Residential Drug Treatment Program is designed to complement the accomplishments and continue the institutional program's treatment plan. It reinforces the inmate's personal responsibility to lead a drug-free lifestyle through personal accountability for choices, confrontation of negative thinking patterns, and instruction in basic social skills. Inmates who successfully complete the Residential Drug Treatment Program's institutional phase should normally be considered for the maximum 180 day period of CCC placement, if they are otherwise eligible.

(5) Intensive Confinement Center (ICC). A lengthy period of Community Corrections Center confinement follows the completion of the ICC program's institutional phase. The CCC time is divided among the restrictive Community Corrections Component, the Prerelease Component, and Home Confinement. Specific referral procedures are outlined in the ICC Program Statement.

8. RELEASE PLAN. Staff shall begin release planning at an inmate's first team meeting, normally the initial classification, and shall continue throughout the inmate's confinement. The following guidelines apply:

a. Planning early in an inmate's period of confinement is necessary to ensure release preparation needs are identified and appropriate release preparation programs are recommended.

b. Preliminary decisions regarding eligibility for CC Programs are to be made well in advance of the last year of confinement.

c. A final and specific release preparation plan, including a decision as to CCC referral, is normally established at a team meeting no later than 11 to 13 months before an inmate's projected release date.

9. CCC CRITERIA AND REFERRAL GUIDELINES

a. Regular Referrals. Staff shall make recommendations for CCC placements based on assessments of inmate needs for services, public safety, and the necessity of the Bureau to manage its inmate population responsibly. CCCs are a program element and are not to be used as a reward for good institutional behavior, although an inmate's institutional adjustment may be a factor in making a referral determination.

A number of factors must be weighed to determine the length of CCC placement for inmates, including their individual needs and existing community resources. Ordinarily, inmates with shorter sentences do not require maximum CCC placement due to reduced transition needs. Additionally, inmates who are required to spend a portion of time in a CCC as a condition of release (i.e. supervised release or court order) do not require an extended Bureau CCC placement. For example, if the Unit Team determines the inmate needs a six month CCC placement, but the inmate is required to stay in a CCC for 90 days as a condition of release, then the institution shall ordinarily refer the inmate for a 60-90 day CCC placement.

Referrals to CCM offices should include a recommendation regarding the length of stay (range), such as recommending 60 to 90 days or 90 to 120 days, etc. This range of at least 30 days allows the CCM to match population needs with budgetary and CCC bed space resources, a process which requires this flexibility.

However, there will be cases when the institution, for various management reasons, wants the CCM to place the inmate not earlier than a specific date. Then, the CCC referral form should specify a recommended placement date rather than a range and further state that the CCM should not adjust that date. The CCM shall adhere to the recommended date, with any adjustment only being downward if budget and/or bed space constraints are a factor.

The following CCC referral guidelines apply:

(1) An inmate may be referred up to 180 days, with placement beyond 180 days highly unusual, and only possible with extraordinary justification. In such circumstances, the Warden shall contact the Regional Director for approval and the Chief USPO in the inmate's sentencing district to determine whether the sentencing judge objects to such placement.

(2) The ultimate goal is to maximize each eligible inmate's chances for successful release and a law-abiding life.

(3) When an inmate has a history of escape or failure in one or more CC Programs, careful review and consideration should be given regarding the suitability of participation and the length of placement.

(4) Inmates with minor medical conditions or disabilities may also be considered for community placement. Inmates are required to assume financial responsibility for their health care while assigned to community programs. Such inmates must provide sufficient evidence to institution staff of their ability to pay for health care while at a CCC prior to the referral being made. When an inmate is unable or unwilling to bear the cost of necessary health care, the inmate shall be denied placement.

(5) Inmates who have been approved for CCC referral and are otherwise appropriate for camp placement shall be transferred to a camp for intermediate placement. The inmate should have completed the Institution Release Preparation Program at the parent institution. The parent institution shall complete the CCC referral packet and the camp should be closer to the inmate's release residence. This process should be completed to allow the

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inmate a minimum of a 60 day placement at the camp prior to the acceptance date at the CCC.

b. MINT Referrals. Female inmates are eligible to enter the program at the CCC generally during their last two months of pregnancy. After birth, the mother is allowed three additional months to bond with the child. The mother shall then be returned to an institution to complete her sentence. If she is eligible for prerelease services, she may remain at that facility only if she is going to be supervised in that judicial district.

The CEO may approve early or extended placements with a recommendation by the treating obstetrician and Clinical Director's concurrence. A placement extending beyond 180 days requires the Regional Director's approval. Direct court commitments shall have a secondary designation noted on the Inmate Load and Security/Designation form (BP-337). This shall be used to determine the institution responsible for the inmate's medical expenses while she is confined in the MINT Program.

Authority to pay immediate post-natal care of the child born to an inmate while in custody is derived from administrative discretion when the Bureau finds itself responsible for the cost by default (no other resources can be compelled to pay). It is reasonable that the Bureau provides for the child's medical expenses for the first three days after routine vaginal birth or up to seven days for a Cesarean section.

Prior to the birth, the mother must make arrangements for a custodian to take care of the child. At this time, the CEO shall ensure the person or agency taking custody of the child is also asked to be responsible for medical care costs beyond three days after birth. (Note: This may be extended by the Regional Director for an additional seven days for extenuating circumstances on a case-by-case basis.) The person(s) receiving custody of the child should sign a Statement of Responsibility for medical care costs, clearly indicating that the signing party accepts financial responsibility. Unit Management staff are responsible for obtaining this statement, and forwarding copies to the Health Services Administrator (HSA) for placement in the HSA's outside hospitalization file and to the Controller (see the Sample Statement of Responsibility (Attachment D)).

Health Services staff shall confirm an inmate's pregnancy and evaluate her medical condition. Health Services staff shall indicate whether CCC placement is medically appropriate and document this on the Medical Evaluation for Transfer of Inmates to CCC Type Facility (BP-351) which shall be forwarded to the Unit Team.

When the Unit Team has concerns regarding the appropriateness of a CCC placement (such as criminal history, severity of current offense), procedures will be followed according to Section 10.i.(2), Limitations on Eligibility for All CCC Referrals.

The following CCC referral guidelines apply in addition to the guidelines provided for regular referrals:

(1) The inmate must be pregnant upon commitment with an expected delivery date prior to release.

(2) The inmate or guardian must assume financial responsibility for the child's care, medical and support, while residing at the CCC. Should the inmate or the guardian be unable or unwilling to bear the child's financial cost, the inmate may be transferred back to her parent institution.

(3) An inmate who becomes pregnant while on furlough, or has more than five years remaining to serve on her sentence(s), or plans to place her baby up for adoption shall not be referred for MINT placement.

Referrals to CCMs should state a specific date of placement. This date should be approximately two months prior to the inmate's expected delivery date.

The CCC's Terminal Report should fully describe the inmate's experience in, and reaction to, the MINT Program. It should also summarize counseling received in the program and include follow-up medical or program recommendations for the institution to facilitate the inmate's transition.

Inmates in need of foster care placement assistance shall be referred to the institution social worker, or if the institution does not have a social worker, staff shall contact a social worker in the community for foster care placement assistance.

10. LIMITATIONS ON ELIGIBILITY FOR ALL CCC REFERRALS. Inmates in the following categories shall not ordinarily participate in CCC programs:

a. Inmates who are assigned a "Sex Offender" Public Safety Factor.

b. Inmates who are assigned a "Deportable Alien" Public Safety Factor.

c. Inmates who require inpatient medical, psychological, or psychiatric treatment.

d. Inmates who refuse to participate in the Inmate Financial Responsibility Program.

e. Inmates who refuse to participate, withdraw, are expelled, or otherwise fail to meet attendance and examination requirements in a required Drug Abuse Education Course.

f. Inmates with unresolved pending charges, or detainers, which will likely lead to arrest, conviction, or confinement.

g. Ordinarily, inmates serving sentences of six months or less.

h. Inmates who refuse to participate in the Institution Release Preparation Program.

i. Inmates who pose a significant threat to the community. These are inmates whose current offense or behavioral history suggests a substantial or continuing threat to the community.

Examples are inmates with repeated, serious institution rule violations, a history of repetitive violence, escape, or association with violent or terrorist organizations.

To determine whether an inmate poses a significant threat, a number of factors must be considered. The key consideration is public safety when assessing the inmate's proclivity for violence or escape against their placement needs.

A waiver of the Public Safety Factor is not required for inmates transferred via unescorted transfer to CCC placements.

Ordinarily, inmates with a single incident of violence should not automatically be excluded from CCC placement. As noted earlier, clearly dangerous inmates should be excluded from CCC placement.

(1) When there exists a basis for significant doubt regarding whether the inmate currently poses a threat to the community, the Warden should consider contacting the Chief USPO in the release district (see the Sample letter (Attachment A)) to seek guidance on the referral's appropriateness. A copy of this letter shall be maintained in the Inmate Central File.

(2) When an inmate is excluded under this subsection, a memorandum, signed by the Warden, shall be prepared and placed in the Inmate Central File to explain the rationale for exclusion from CC Programs.

j. Inmates whose admission and release status is pretrial, holdover, or detainee.

11. REFUSALS. When an eligible inmate refuses CCC placement, staff shall investigate the inmate's reasons. Staff may honor an inmate's refusal of CCC placement.

Suitable reasons to decline placement might include previous CCC failure, potential conflict with other residents, and location or remoteness from release residence. When the inmate does not present a suitable reason, and the unit team believes that a placement would serve a correctional need, the unit team shall make every effort to encourage participation.

When an inmate refuses placement, a memorandum, signed by the Associate Warden (Programs) and the inmate, shall be placed in the Inmate Central File. The memorandum should document the inmate's rationale for refusal and all unit team effort to encourage participation.

12. CCC REFERRAL PROCEDURES. Normally 11 to 13 months before each inmate's probable release date, the unit team shall decide whether to refer an inmate to a Community Corrections program.

Medical staff shall notify the inmate's Case Manager promptly when a pregnancy is verified. Upon notification, the unit team shall decide if a MINT referral to a Community Corrections program will be made.

a. Referral to CCM. Staff shall use the Institution Referral form (BP-210) (Attachment B) when referring an inmate for transfer to a CCC. Information included in the Additional Information (11) and Specific Release Preparation Needs (12) sections must be as specific as possible regarding the inmate's needs.

Attachment B contains instructions for completing the Institution Referral form and related materials. Signed copies of the "Community Based Program Agreement" must be included with all CCC referrals. The Warden is the final decision-making authority for all CCC referrals the unit team recommends.

If the Warden approves the CCC referral, the unit team shall forward two copies of the Institutional Referral form and appropriate attachments to the CCM. Staff shall enter the DST SENTRY assignment of "W CCC ACT." Copies of appropriate documents are prepared so that one may be forwarded to the CCC while the CCM retains the other for reference.